



NINE YEARS  
OF THE  
LEAGUE OF NATIONS  
1920-28  
(NINTH YEARBOOK)

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## NINE YEARS OF THE LEAGUE OF NATIONS, 1920-1928

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### I. WHAT THE LEAGUE OF NATIONS IS

The establishment of a League of Nations became one of the objectives of the World War. At the time the armistice of November 11, 1918, was concluded, this was accepted by all belligerents and neutrals as one of the essential subjects for the peace negotiations.

The preliminary Peace Conference at its Second Plenary Session on January 25, 1919, passed a resolution declaring that "it is essential to the maintenance of the world settlement . . . that a League of Nations be created" and that "this League should be treated as an integral part of the general treaty of peace." As a consequence, the conference appointed the Commission on the League of Nations under the chairmanship of Woodrow Wilson, President of the United States, which worked out a project in 10 sessions between February 3 and February 13. This project, elaborated by delegates of the United States, British Empire, France, Italy, Japan, Belgium, Brazil, China, Czechoslovakia, Greece, Poland, Portugal, Rumania and Serbia, was published on February 14, 1919, for the consideration of the world. Members of the commission met on March 20 and 21 to consider proposals from the following states which were neutral in the World War: Argentina, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland and Venezuela. In five additional meetings on March 22, 24, 26, April 10 and 11, the Covenant of the League of Nations was completed and on April 28 accepted by a plenary session of the Peace Conference.

The Covenant was incorporated into the treaties of

peace, and is Part I of the treaties with Germany, Austria, Bulgaria and Hungary. On the entrance of the first of these into force, on January 10, 1920, the Covenant acquired the character of a separate treaty. The deposit of ratifications of parties to the treaty of peace brought the Covenant into force on that day, giving legal existence to the League of Nations. As a result of that act, the accessions to the Covenant of Argentina, Chile, Paraguay, Persia and Spain came into force so that the League of Nations entered upon its legal existence on January 10, 1920, at 4.15 P.M., with a membership of 24 states, 19 of which were parties to the treaty of peace: Australia, Belgium, Bolivia, Brazil, British Empire, Canada, Czechoslovakia, France, Guatemala, India, Italy, Japan, New Zealand, Panama, Peru, Poland, Siam, South Africa and Uruguay.

By subsequent accessions and admissions under the terms of the Covenant,<sup>1</sup> it has been accepted by 56 states, of which two, Brazil and Costa Rica, have withdrawn. The latter is reassuming membership and the former, while maintaining its withdrawal, continues to "collaborate."

#### ENGAGEMENTS UNDER COVENANT

The states Members of the League have taken engagements in the Covenant, each for itself and toward the others, "in order to promote international cooperation and to achieve international peace and security," to the following effect:

1. Each Member on admission "shall give effective guaranties of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments" (Art. 1, par. 2).

2. Each Member recognizes "that the maintenance of peace requires (a) the reduction of national armaments to the lowest point consistent with national safety and (b) the enforcement by common action of international obligations" (Art. 8, par. 1).

<sup>1</sup> See p. 14.

3. Each agrees "that the manufacture by private enterprise of munitions and implements of war is open to grave objections" (Art. 8, par. 5).

4. Each undertakes "to interchange full and frank information as to [a] the scale of their armaments, [b] their military, naval and air programs, and [c] the condition of such of their industries as are adaptable to warlike purposes" (Art. 8, par. 6).

5. Each undertakes "to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League" (Art. 10, par. 1).

6. They declare "a matter of concern to the whole League" "any war or threat of war," with respect to which they "shall take any action that may be deemed wise and effectual to safeguard the peace of nations" (Art. 11, par. 1).

7. They declare it "to be the friendly right" of each . . . "to bring to the attention" of the bodies they set up "any circumstance whatever . . . which threatens to disturb international peace or the good understanding between nations upon which peace depends" (Art. 11, par. 2).

8. They "agree that . . . they will submit . . . any dispute likely to lead to a rupture . . . either to arbitration or judicial settlement or to inquiry" (conciliation) (Art. 12, par. 1).

9. "They agree in no case to resort to war until three months after" the result of such submission is known (Art. 12, par. 1).

10. They "agree that . . . they will submit the whole subject matter to arbitration or judicial settlement" in the case of any dispute which "they recognize to be suitable" for such procedure (Art. 13, par. 1).

11. They "agree that they will carry out in full good faith any award or decision that may be rendered" (Art. 13, par. 4).

12. They agree that they "will not resort to war against a Member of the League which complies" with such award or decision (Art. 13, par. 4).

13. They "agree that they will submit" to the Council for conciliation "any dispute likely to lead to a rupture, which is not submitted to arbitration or judicial settlement" (Art. 15, par. 1).

14. They "agree that they will not go to war with any party to the dispute which complies with the recommendations of the report" of the Council, if this is unanimously agreed to by the Council, exclusive of the disputant states (Art. 15, par. 6).

15. They "reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and

justice," if the Council, exclusive of the disputant states, fails to attain unanimity (Art. 15, par. 7).

16. Should any member disregard agreements Nos. 8 to 14 and resort to war, "it shall *ipso facto* be deemed to have committed an act of war against all other members." They undertake "immediately to subject it to the severance of all trade or financial relations," as well as to insure "the prevention of all financial, commercial or personal intercourse" with it (Art. 16, par. 1).

17. They "agree that they will mutually support one another" in these respects (Art. 16, par. 3).

18. They obligate themselves to register for immediate publication "every treaty or international engagement" with the Secretariat. No such document "shall be binding until so registered" (Art. 18).

19. They grant to the Assembly the faculty of advising them to reconsider "treaties which have become inapplicable" (Art. 19).

20. They grant to the Assembly the faculty of considering "international conditions whose continuance might endanger the peace of the world" (Art. 19).

21. They agree that the "Covenant is accepted as abrogating all" inconsistent obligations. They accept as a duty the procuring "of release from such obligations" (Art. 20).

22. They "solemnly undertake" not to "enter into any engagements inconsistent" with the terms of the Covenant (Art. 20).

23. They establish "the principle that the well-being and development" of "peoples not yet able to stand by themselves under the strenuous conditions of the modern world" are "a sacred trust of civilization." The "tutelage of such peoples" is "intrusted to advanced nations" and "exercised by them as mandatories on behalf of the League" (Art. 22, pars. 1 and 2).

24. They will "endeavor<sup>1</sup> to secure and maintain fair and humane conditions of labor for men, women and children," and "will establish and maintain the necessary international organizations"<sup>2</sup> (Art. 23a).

25. They "undertake<sup>1</sup> to secure just treatment of the native inhabitants of territories under their control" (Art. 23b).

26. They "intrust<sup>1</sup> the League with the general supervision over the execution of agreements with regard to the traffic in women and children" (Art. 23c).

<sup>1</sup> "Subject to and in accordance with the provisions of international conventions, existing or hereafter to be agreed upon."

<sup>2</sup> For the realization of this engagement, see *Industry, Governments and Labor*, World Peace Foundation Pamphlets, Vol. XI, Nos. 4-5.

27. They "intrust<sup>1</sup> the League with the general supervision of the execution of agreements with regard to . . . the traffic in opium and other dangerous drugs" (Art. 23c).

28. They "intrust<sup>1</sup> the League with the general supervision of the trade in arms and ammunition" (Art. 23d).

29. They "make provision<sup>1</sup> to secure and maintain freedom of communications and transit . . . for the commerce of all" (Art. 23e).

30. They "make provision<sup>1</sup> to secure and maintain . . . equitable treatment for the commerce of all" (Art. 23e).

31. They "endeavor<sup>1</sup> to take steps in matters of international concern for the prevention and control of disease" (Art. 23f).

32. They place "under the direction of the League all international bureaus already established by general treaties," if the parties consent (Art. 24, par. 1).

33. They stipulate that all international bureaus and commissions for the regulation of matters of international interest constituted after January 10, 1920, shall be placed under the direction of the League (Art. 24, par. 1).

34. They "agree to encourage and promote the establishment and cooperation of" authorized voluntary national Red Cross organizations to improve health, prevent disease and mitigate suffering (Art. 25).

### THE CONFERENCE METHOD OF OPERATION

The League of Nations can best be understood if it is realized that it is not closely comparable with other institutions. It consists of states associating themselves together under specified conditions for the accomplishment of purposes of common interest. These purposes and the standards of action which the Member states have agreed to accept as a basis of their association are those set forth in the Covenant as analyzed above. Some of those engagements address themselves primarily to the individual action of the Member state; the consensus of action of the Members and their experience in working together contribute to a fuller interpretation of these engagements. Other engagements state objectives which Member states

<sup>1</sup> "Subject to and in accordance with the provisions of international conventions, existing or hereafter to be agreed upon."

seek to attain; these become the subject of investigations especially organized within the machinery of the League and are constantly productive of international conferences for developing specific international agreements.

In view of the general standards of conduct adopted by them in the Covenant and the fundamental purposes of the League, Member states have felt free to agree additionally between themselves to leave many matters calculated to promote international cooperation or to achieve a greater degree of peace and security to its organs. Among instances of duties assigned to the League by such independent action of Member states may be cited the treaties, declarations and clauses establishing régimes for the protection of minorities; the financial reconstruction of Austria and Hungary; the Greek Refugee Settlement Scheme; the administration of the Saar Basin, the Free City of Danzig and Upper Silesia. Not infrequently the common objectives sought result in opposite measures. General agreements frequently result in bilateral treaties in which Member states apply the principles determined at Geneva. Instances of such action are a series of sanitary conventions made between the states of Eastern Europe in 1922-23, the convention relating to nonfortification and neutralization of the Aaland Islands, and an extensive series of treaties for the pacific settlement of international disputes.

To comprehend the League of Nations most readily, it is advisable to think of it as an instrument of the Member states for attaining a maximum of agreement on questions which the nations themselves recognize as having a common interest for them. The contracting parties provide in the Covenant that the machinery for conducting their common business shall be an Assembly, consisting of delegates of all Member states, and a Council, consisting of delegates of Member states representative of and acting on behalf of the entire Membership (Arts. 3 and 4). Both the Assembly and Council take their decisions by unanimous vote, unless there is a specific provision to the contrary or the

matter is one of procedure (Art. 5). The persons composing both "render their decisions as the representatives of their respective states, and . . . have no standing except as such representatives." With respect both to the status of persons and the character of the vote, the two organs are, therefore, constructed on the basis of international conferences.

The Secretariat performs secretarial duties for the Assembly and Council and for bodies called into being by their decisions. This organ of the League is analogous to the civil service of a national government in that it serves the League as a whole rather than particular Member states.

In general, the experience of the states Members of the League of Nations since 1920 has indicated that the objectives of the Covenant are broad enough to enable them to seek agreement through it upon any question of common interest.

As questions of diverse character are considered, machinery adapted to securing appropriate results has been created. The Assembly, which meets annually, is not a continuing body, and it consequently devolves upon the Council to manage current business. The Council, usually after consulting the Assembly, has set up a series of advisory committees "for the purpose of facilitating the task of the Assembly and the Council . . . on the one hand, and on the other hand to assist Members of the League by establishing direct contact between their technical representatives in the various spheres, to fulfill their international duties." These committees differ in their composition according to the objects sought. For the most part, committees consist of unofficial experts, diversified as to nationality and professional qualifications. Emphasis is thus given to "enough independence and flexibility to make them effectively useful to the Members of the League." In cases where the fundamental necessity is to develop agreement among Governments or to commit Governments to decisions, the membership of a committee is drawn from official life.



A committee is served by an expert section of the Secretariat, which works under its direction. The committee thus aided collects facts and elaborates conclusions, subject to confirmation by the Council. Nationals of non-Member states, especially the United States, have for several years taken an active part in the work of the committees. Annual reports on the work of each committee are made to the Assembly, which frequently indicates the direction which the Member states as a whole desire to see taken in future work.

Confirmation of the conclusions of a committee by the Assembly may constitute a sufficient international agreement upon a subject.<sup>1</sup> In such a case, the Assembly acts as an international conference, and the representatives of Member states, in addition to their credentials as Assembly delegates, are furnished with full powers for signing or accepting the document in question. More frequently the conclusions of a committee are of a character requiring the convening of a special conference to enable states to conclude an acceptable agreement. States non-Members of the League are invited to such conferences. They differ from conferences not held under League auspices only in respect to the more careful and thorough preparation afforded and the great advantage of being served by a thoroughly trained and continuous Secretariat.

### PREVENTION OF WAR

The conference method described above is followed in handling the bulk of the work done by the League of Nations. Its object is "to promote international cooperation and to achieve international peace and security" by facilitating "the firm establishment of the understandings of international law" as the actual rule of conduct among Governments. It produces a body of agreement which can command the "scrupulous respect for all treaty obli-

<sup>1</sup> Instances are the Statute of the Permanent Court of International Justice, adopted by the First Assembly; the international slavery convention, adopted by the Sixth Assembly; the convention for the execution of arbitral clauses in commercial matters, adopted by the Eighth Assembly; the general act and model conventions on pacific settlement of international disputes, nonaggression and mutual assistance adopted by the Ninth Assembly.

gations in the dealing of organized peoples with one another." These activities are recognized as facilitating "the acceptance of obligations not to resort to war" in that they prescribe through voluntary agreement "open, just and honorable relations between nations," which are calculated to forestall the development of conditions which might encourage resort to war.

Though the 60 international conventions developed by the League of Nations in nine years through the machinery described above are very diverse in character, they all contribute to the promotion of cooperation between the peoples of the world.

Member states of the League of Nations accepted in the Covenant specific undertakings with respect to the reduction of armament and the employment and development of the pacific settlement of international disputes. The reduction of armament in its multiform complications has been handled by the conference system described. The pacific settlement of international disputes, which does away with the occasion for resort to war, has been extensively developed under the influence of the League, while the Covenant itself gives to the Council (and sometimes the Assembly) special authority from the Member states for jurisdiction over international disputes. The activities of the League in this field include matters on which public attention has been widely focused. Questions of great interest and of high importance have come under the jurisdiction of the Council.

Bilateral relations between states Members of the League continue in full measure to be conducted between governments. It is only that portion of the foreign relations of governments which can be satisfactorily handled solely in multilateral negotiations that falls within the scope of the League.

A possible exception to this general rule is recognized by an agreement in the Covenant which provides that "any dispute likely to lead to a rupture" between Members of the League is to be submitted to some form of

pacific settlement. The forms specified are arbitration, judicial settlement and inquiry by the Council. Disputes are normally referred to the League for inquiry by the Council. The method of judicial settlement is provided for in the Permanent Court of International Justice, to which states become parties by the normal process of ratifying a treaty document. The other method of pacific settlement specified is that of arbitration. The functioning of the League has facilitated and encouraged the development of this method of pacific settlement, which is supplemented by conciliation through a commission of inquiry.

As other methods have come into existence, the exclusive importance of inquiry by the Council has decreased. The statutory jurisdiction of the Permanent Court of International Justice had been widened up to June 15, 1928, by the provisions of 250 bilateral and multilateral treaties.<sup>1</sup> The wide variety of international conventions negotiated under the auspices of the League, or otherwise, since 1920 has reformed international practice or solved international problems on a large number of frictional subjects. The conventions accomplishing these ends have uniformly contained a clause providing that any dispute with respect to the interpretation or application of the document shall be left to the decision of the Permanent Court of International Justice. Special jurisdiction has been created for special problems; for instance, in the convention on import and export prohibitions and restrictions, provisions are made for the conciliatory or arbitral settlement of disputes arising from it and specially adapted to the issues involved. Member states have extensively included such clauses in bilateral treaties and have both developed and adjusted methods of pacific settlement to their own needs by the conclusion of bilateral treaties of pacific settlement. The totality of these developments result in reducing the area of international life from which disputes within the cognizance of the League might arise. While the possibility of disputes reaching a stage where they should, under the

<sup>1</sup> Publications of the Permanent Court. *Fourth Annual Report*, p. 79-138, 413 (Series E, No. 4).

Covenant, be submitted to the Council has thus decreased, the Member states retain in full force the provision to refer disputes to the League in case other methods fail to solve such difficulties.

### THE LEAGUE AND INTERNATIONAL RELATIONS

The Members of the League have more and more come to view it as a forum for the discussion of their mutual interests and a mechanism for the solution of their mutual problems. The permanence of the Secretariat and the constant functioning of committees under the direction of the Council have provided the framework realizing such objects. The Assembly meets automatically each year on the first Monday in September. The Council meets normally four times each year. In the early days of the League, postwar problems were to the front, and the continuity of League action had much to do with the ability to handle them promptly and systematically. In the realm of agreements of a permanent nature, the early years were characterized by the employment of the machinery for establishing general principles, such as those on freedom of transit. In each avenue of activity, there has been a steady development toward the handling of problems which are highly technical and which touch more intimately the national practice or policy of Member states.

As this situation has developed, it has become the general practice of the states to send foreign ministers to Geneva as representatives on the Council. The delegations to the Assembly in recent years have included 20 to 25 heads of cabinets or ministers of foreign affairs, in addition to other ministers. As a consequence of the presence of such officials at Geneva, meetings of the Assembly and Council since 1924 have sometimes been quite as important because of the negotiations taking place outside of the League organization as for the decisions made at its meetings. Foreign ministers, who could not visit other capitals without arousing speculation, find it possible to discuss in person with ministers from other countries questions of mutual

concern. Such meetings have very often been of world-wide importance and have amounted to special conferences, for example, in 1925, during the Assembly, when some negotiations respecting the subsequent Locarno treaties took place, and again in 1928 when cabinet members of the states interested in reparation and the Rhine occupation reached an agreement respecting procedure on those subjects. The League of Nations has nothing to do with such meetings, but its periodic gatherings simply afford the opportunity for those concerned to meet for discussion. Nevertheless, the existence of the League contributes to the success of such outside negotiations. The value of Geneva as a meeting place is appreciated, because it affords not only neutral ground, but an essentially friendly one. Ministers who might never otherwise meet each other become acquainted with each other in their attendance at League meetings, and the acquaintance enables them to dispatch their special business. Two ministers sitting at the same table in the morning on international business find themselves in a hotel room in the afternoon discussing national business. During the afternoon both of them may be aware that in the morning they will have the duty of preparing a League report together. The habit of international cooperation in the League, they testify, facilitates better understanding of their national problems.

The first week or ten days of the Assembly sessions are devoted to a general debate on the report on the work of the Council and of the Secretariat and on the measures taken to execute decisions of the Assembly. Each country has a free opportunity to discuss any questions which it wishes. With some 300 press representatives in the gallery, the Assembly hall acts as a sounding board to all the world. Delegates of Members make use of this fact to explain satisfactory or unsatisfactory positions in which they find themselves, to define their attitude toward international action, to defend their national action or to complain of conditions which they deem reparable. This is a new factor in international relations.

## II. ORGANS OF THE LEAGUE

### 1. Members of the League

The contracting states are defined in the Covenant as Members of the League of Nations.

Members of the League are "original" or "admitted."

Original Members are named in an annex to the Covenant in two groups. The first group acquired membership by ratification of the treaties of peace, in which the text of the Covenant appears. This first group were signatories "of the first part" of the treaties of peace. The second group, consisting of neutrals in the World War which were not parties to the treaties of peace, acceded to the Covenant as a separate document, without reservations.<sup>1</sup>

Admitted Members consist of any other "fully self-governing state, dominion or colony" whose "admission is agreed to by two-thirds of the Assembly." An admitted member "shall give effective guaranties of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments."

**Growth.** The League of Nations formally came into being by the official deposit of the ratifications of the treaty of Versailles at the French Foreign Office, at Paris, on January 10, 1920, at 4.15 P.M. By that deposit 24 states<sup>2</sup> became the first members of the League of Nations.

Within the next two months 42 of the states named in the Annex to the Covenant had become original Members of the League. The signatories of a treaty of peace acquired that status by ratification in accordance with constitutional practices. Those which were not signatories of

<sup>1</sup> For some details of ratifications, see *Three Months of the League of Nations*, p. 7-10 (this Series, III, Nos. 1-2). The recognition of Switzerland's perpetual neutrality by resolution of the Council dated February 13, 1920, is not regarded as a reservation.

<sup>2</sup> See p. 2.

such a treaty acceded to the Covenant as a separate instrument after the parliamentary adoption of an act authorizing such accession.

States admitted to the League by vote of the Assembly have based their applications upon parliamentary or governmental action, having the effect of a conditional ratification of the Covenant previous to action by the Assembly.

# MEMBERS OF THE LEAGUE OF NATIONS, JANUARY 1, 1929 — 54

State	Member from	State	Member from
ABYSSINIA	Sept. 28, 1923	DOMINICAN	
ALBANIA	Dec. 17, 1920	REPUBLIC	Sept. 29, 1924
ARGENTINA	Jan. 10, 1920	ESTONIA	Sept. 22, 1921
AUSTRALIA	Jan. 10, 1920	FINLAND	Dec. 16, 1920
AUSTRIA	Dec. 15, 1920	FRANCE	Jan. 10, 1920
BELGIUM	Jan. 10, 1920	GERMANY	Sept. 8, 1926
BOLIVIA	Jan. 10, 1920	GREECE	March 30, 1920
[BRAZIL <sup>1</sup>	Jan. 10, 1920—	GUATEMALA	Jan. 10, 1920
	June 13, 1928]	HAITI	June 30, 1920
BRITISH EMPIRE	Jan. 10, 1920	HONDURAS	Nov. 3, 1920
BULGARIA	Dec. 16, 1920	HUNGARY	Sept. 18, 1922
CANADA	Jan. 10, 1920	INDIA	Jan. 10, 1920
CHILE	Jan. 10, 1920	IRISH FREE STATE	Sept. 10, 1923
CHINA	July 16, 1920	ITALY	Jan. 10, 1920
COLOMBIA	Feb. 16, 1920	JAPAN	Jan. 10, 1920
[COSTA RICA <sup>2</sup>	Dec. 16, 1920—	LATVIA	Sept. 22, 1921
	Dec. 31, 1926]	LIBERIA	June 30, 1920
CUBA	March 8, 1920	LITHUANIA	Sept. 22, 1921
CZECHOSLOVAKIA	Jan. 10, 1920	LUXEMBURG	Dec. 16, 1920
DENMARK	March 8, 1920	NETHERLANDS	March 9, 1920

<sup>1</sup> Notice of withdrawal effective June 13, 1928, in accordance with telegram received June 12, 1926 (*Monthly Summary*, V, p. 135). A note from the Brazilian Government of April 9, 1928, said: "I beg . . . the Council to consider my country one of the most devoted collaborators of the League of Nations." Collaboration was "not only by occupying a seat in the Assembly or in the Council," but by recognizing the League's "service to civilization and to humanity," by joining "in the conferences through which the League of Nations strives for universal welfare by working out problems of general interest" and by preaching and practicing "the true policy of preserving peace . . . by the employment of juridical solutions, by their disinterestedness, by their amity and by their spirit of justice and concord" (*Official Journal*, IX, p. 778.)

<sup>2</sup> The acting president of the Council received a telegram from the Government of Costa Rica stating that on September 6, 1928, the council of ministers had agreed "to submit the matter [of resuming membership] to the Constitutional Congress, requesting it to vote the necessary funds for the payment of the contribution involved." (*Records of the Ninth Assembly, Plenary Sessions*, 16th plenary meeting). Correspondence respecting the Monroe doctrine had preceded on July 18 and September 1.

State	Member from	State	Member from
NEW ZEALAND	Jan. 10, 1920	SALVADOR	March 10, 1920
NICARAGUA	Nov. 3, 1920	SERB-CROAT-	
NORWAY	March 7, 1920	SLOVENE STATE	Feb. 10, 1920
PANAMA	Jan. 10, 1920	SIAM	Jan. 10, 1920
PARAGUAY	Jan. 10, 1920	SOUTH AFRICA	Jan. 10, 1920
PERSIA	Jan. 10, 1920	SPAIN <sup>1</sup>	Jan. 10, 1920
PERU	Jan. 10, 1920	SWEDEN	March 9, 1920
POLAND	Jan. 10, 1920	SWITZERLAND	March 8, 1920
PORTUGAL	April 8, 1920	URUGUAY	Jan. 10, 1920
RUMANIA	Sept. 14, 1920	VENEZUELA	March 3, 1920

Argentina's participation in the League has been an executive matter. Approval of the Covenant by the Congress had not taken place when the Government sent a delegation to the First Assembly. After several years' absence, the Government paid its back financial quota and has since participated generally in the work of the League.

Costa Rica was admitted to the League by vote of the Assembly on December 16, 1920. Its financial quotas were in arrears in 1924, when the Fifth Assembly passed a resolution inviting the Secretary-General to make "further urgent representations to Costa Rica." On December 24, 1924, Costa Rica paid all contributions due and announced an intention to withdraw, effective December 31, 1926. On March 9, 1928, the Council authorized its acting president to invite Costa Rica to reverse its decision. On July 19, 1928, the Costa Rican Government replied responsively. However, it stated that "under Art. 21 of the Covenant, the international legal scope of the Monroe doctrine was extended." It desired, before acting on the invitation, "to know the interpretation placed by the League of Nations on the Monroe doctrine and the scope given to that doctrine when it was included in Art. 21 of the Covenant." The Council in reply on September 1

<sup>1</sup> Responsive to an invitation of the Council of March 9, 1928, the Spanish Government on March 22, 1928, decided not to withdraw from the League in accordance with its notice of September 11, 1926 (*Official Journal*, VII, p. 1528). The Government in the note announcing its decision said: "We leave it to the Assembly to decide the form which Spain's cooperation should take and the position due to her in order that her rôle may be effectual and valuable and in consonance with her special situation as a great Power, which was neutral during the last war, and with her great past, as the creator of nations and civilizations." (*Official Journal*, IX, p. 603.)



cited Art. 20, by which the Members of the League agree to abrogate all understandings between themselves which are inconsistent with the terms of the Covenant. The reference to the Monroe doctrine cited in Art. 21 "neither weakens nor limits any of the safeguards provided in the Covenant," and it can not have the effect of giving them a "sanction or validity" not previously possessed. It "confines itself to referring to these engagements, such as they may exist, without attempting to define them," for definition would be "liable to have the effect of restricting or enlarging their sphere of application." On September 6, the Costa Rican Government telegraphed that the Council of Ministers had decided to submit the invitation to resume Membership of the League "to the constitutional congress, requesting it to vote the necessary funds for the payment of the contribution involved."

Germany in 1919 requested admission to the League, which was refused by the Allied and Associated Governments which were then in *de facto* control.<sup>1</sup> "The political situation as it developed after the coming into force of the treaty of Versailles" prevented Germany from making a further proposal. The situation was changed by the London conference on reparation in August, 1924. A German council of ministers on September 23, 1924, unanimously decided to seek an early entrance into the League. On September 29, Germany addressed to the Government of each Member of the Council a memorandum in which it requested to know its attitude respecting a German application for membership. This memorandum emphasized:

1. "Germany must possess the certainty that immediately upon her admission she will obtain a permanent seat on the Council;"
2. "So long as the present inequality in armaments continues to exist, Germany — unlike other Members of the League — will not be in a position to take part in any coercive measures which may be undertaken by virtue of Art. 16;"

<sup>1</sup> For correspondence exchanged at that time see Sen. Doc. 149, 66th Cong., 1st sess., p. 14-30.

3. "The German Government is prepared to confirm by a formal declaration its sincere intentions to observe its international obligations;"

4. Germany expects that in due time she "will be given an active share in the working of the mandate system."

Full approval having been given to the German decision in the replies from the states represented on the Council, Germany formally brought the matter to the attention of the Council in a note of December 12, 1924.<sup>1</sup> On March 14, 1925,<sup>2</sup> the Council replied. Respecting Council membership, the Council noted that all Governments were "in complete agreement." With regard to the condition respecting Art. 16, the Council pointed out that "it would be for Germany itself to say to what extent she was in a position to reply to the recommendations of the Council," in which she "would always have a voice in deciding the application of the principles of the Covenant."

The German Reichstag on November 30, 1925, authorized the Government "to take the steps necessary for the entrance of Germany into the League of Nations." This authorization was incorporated into the law approving the Locarno treaties. On February 8, 1926,<sup>3</sup> Germany formally applied for admission to the League. Attached to the application was a copy of the joint note of the Locarno states respecting Art. 16 of the Covenant. In this note, Germany was informed that the obligations on Members of the League "must be understood to mean that each state Member of the League is bound to cooperate loyally and effectively in support of the Covenant and in resistance to any active aggression to an extent that is compatible with its military situation and takes its geographical position into account."

Following receipt of the German application, the Council convened an extraordinary session of the Assembly for

<sup>1</sup> *Official Journal*, VI, p. 323. The German memorandum is appended.

<sup>2</sup> *Ibid.*, VI, p. 490.

<sup>3</sup> *Records of the Special Assembly*, p. 45.

March 8, 1926. The Assembly was informed<sup>1</sup> that the question of the status of the military, naval and air forces of Germany was regulated by the treaty of Versailles of June 28, 1919, and did not require to be examined, and that the Secretariat had been advised by the Conference of Ambassadors that to the best of its knowledge, Germany was giving effective guaranties of her sincere intention to discharge her obligations under that treaty and the instruments connected therewith. The First Committee accordingly submitted to the Assembly a unanimous report in favor of Germany's admission to the League.

At its closing meeting on March 17, the Assembly was officially notified of difficulties which had arisen in the Council with regard to the granting of a permanent seat to Germany.

The difficulties were in no wise due to Germany, which it had always been contemplated was to become a permanent member of the Council on its admission. They were due to claims preferred for representation on the Council by Brazil brought forward as a condition of accepting Germany as a permanent Council member. Since the Council was thus unable to agree unanimously upon admitting Germany alone as a permanent member of the Council and she was unwilling to be admitted to the League without that condition, the proceedings took the form of explanations,<sup>2</sup> closing with a resolution intended to prepare for the dissolution of the *impasse*.<sup>3</sup>

The unanimous report in favor of Germany's admission made by the First Committee of the Special Assembly was submitted to the Seventh Assembly in September, 1926. A vote was taken by roll-call, as a result of which the admission of Germany into the League of Nations was unanimously approved on September 8, 1926, by the 48 states participating in the vote.<sup>4</sup> On September 10, the

<sup>1</sup> For full text and accompanying documents, see *Records of the Special Assembly, Official Journal*, Spec. Sup. No. 42, p. 46.

<sup>2</sup> *Records of the Special Assembly*, p. 25, 29 for the Brazilian statement

<sup>3</sup> *Ibid.*, p. 32.

<sup>4</sup> *Records of the Seventh Assembly, Plenary Meetings*, p. 31.

German delegation took its seat in the Assembly. After the president, M. Ninchich, had welcomed them, M. Stresemann, the head of the delegation and German minister of foreign affairs, made a speech which was replied to by the first French delegate, M. Briand.<sup>1</sup> These speeches were remarkable both for their eloquence and friendly tone and made a deep impression as the beginning of a real Franco-German policy of cooperation.

### DELEGATES TO THE LEAGUE OF NATIONS

The existence of the League of Nations results in an almost continuous series of conferences and committee meetings at which Member and even nonmember states find it advantageous to have representatives. As a consequence, many states, especially those geographically distant from Geneva, have found it beneficial for the conduct of their international relations to make regular provision for representation at Geneva.

The following states have permanent representatives accredited to the League of Nations:

Abyssinia	Estonia	Netherlands
Albania	Finland	Nicaragua
Argentine Republic	Germany	Paraguay
Australia	Greece	Persia
Austria	Guatemala	Poland
Bulgaria	Hungary	Portugal
Canada	India	Rumania
Chile	Irish Free State	Serb-Croat-Slovene State
China	Japan	Siam
Cuba	Latvia	Sweden
Czechoslovakia	Liberia	Venezuela
Denmark	Lithuania	
Dominican Republic		

With respect to the United States:<sup>2</sup> "The correspondence with the League is carried on by the American legation at Bern. Information on the activities of the League in

<sup>1</sup> *Records of the Seventh Assembly, Plenary Meetings*, p. 51.

<sup>2</sup> Frank B. Kellogg, *Foreign Relations*, p. 13 (Republican National Committee, Bulletin No. 5, 1928).

which this Government is not directly represented is obtained through the consulate in Geneva."

Many states Members have reorganized their foreign offices so as to provide for a League of Nations section in the ministry with the special duty of conducting necessary business with Geneva. Those with such sections are:

Austria	Great Britain	Peru
Belgium	Italy	Salvador
Cuba	Japan	Spain
Denmark	Lithuania	Sweden
Estonia	Luxemburg	Switzerland
Finland	Netherlands	Uruguay
France	Persia	Venezuela
Germany		

#### STATES NOT MEMBERS — 9

The states listed below would seem to be eligible for admission to the League of Nations according to the customary concepts of international law.

Afghanistan	Mexico	Union of Socialist
Brazil	Nejd, Sultanate of	Soviet Republics
Ecuador	Turkey	United States
Egypt		

All these states participate in specific conferences or committees of the League and frequently respond to invitations<sup>1</sup> to accede to its international conventions.

There are sundry territorial entities which do not exercise normal international attributes by reason of their size, paucity of international relations or relationship with other states. Liechtenstein, Monaco and San Marino applied for admission to membership in 1920. The Second Assembly adopted a report from its First Committee that definite conditions should not be laid down in connection with small states until further experience was gained.<sup>2</sup>

<sup>1</sup> For typical invitation see *Official Journal*, VI, p. 489.

<sup>2</sup> *Records of Second Assembly, Plenary Meetings*, p. 820.

These three, Andorra, Iceland — in special relations with Denmark — and the Sudan have been invited to accede to conventions.

## 2. Organs

“Action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat” (*Covenant*, Art. 2).

### THE ASSEMBLY

**Organization.** “The Assembly shall consist of representatives of the Members of the League.” It meets annually at Geneva on the first Monday in September. It “may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world. At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives” (*Covenant*, Art. 3).

A report adopted by the First Assembly on December 7, 1920, stated that “it is impossible to consider the Assembly as a chamber of deputies” or as invested “with the legislative power.”<sup>1</sup> It is best thought of as a gathering of plenary state delegates. “Under the Covenant, representatives sitting on the . . . Assembly render their decisions as the representatives of their respective states, and in rendering such decisions they have no standing except as such representatives.”<sup>2</sup>

**Functions.** The Assembly has certain duties peculiar to it under the Covenant. Among these are:

Admission of new Member states, of which 14 have been favorably acted upon by a two-thirds vote.

Election of nonpermanent Member states represented on the Council, an annually recurring duty. The elections take place by secret ballot and by majority vote.

Approval of additional Members represented on the Council. One permanent additional Member of the Council was approved in 1926. Two additional nonper-

<sup>1</sup> *Records of the First Assembly, Plenary Meetings*, p. 318.

<sup>2</sup> *Ibid.*, p. 320.

manent Members of the Council were approved by the Assembly of 1923 and three in 1926.

Approval of the Council's nomination of a Secretary-General, a duty not yet exercised.

Joint election with the Council of judges of the Permanent Court of International Justice.

The agenda of an Assembly always includes:<sup>1</sup>

"A report on the work of the Council since the last session of the Assembly, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly," on which there is extended debate;

"Items . . . ordered . . . by the Assembly at a previous session, items proposed by the Council and items proposed by any Member of the League;

"The budget for the next fiscal period and the report on the accounts of the last fiscal period."

Some questions "require the concurrence and action of the Governments concerned in the form of international conventions." On these it can not engage "the responsibility of the Governments represented at the Assembly, which is external to the Assembly," and its action takes "the form of a recommendation or invitation leading up to agreement between the Governments."<sup>2</sup> Thus the Assembly negotiated and referred to Governments for signature and ratification the Protocol of Signature covering the Statute of the Permanent Court of International Justice (1920), Rules for establishing Conciliation Commissions (1922), Protocol for Pacific Settlement of International Disputes (1924), Slavery Convention (1926), Convention on Execution of Arbitral Awards (1927), Model Conventions and General Act on Pacific Settlement of International Disputes, Mutual Assistance and Nonaggression (1928). So far as such documents are signed at Geneva by delegates to the Assembly, the delegates act by virtue of credentials issued by their Governments for that specific purpose.

<sup>1</sup> *Rules of Procedure of the Assembly* (C. 356 (1). M. 158 (1). 1923. V), Rule 4.

<sup>2</sup> *Records of the First Assembly, Plenary Meetings*, p. 320.

**Procedure.** A session of the Assembly is opened by the current president of the Council, after whose address a president is elected. Six vice-presidents are elected; the chairmen of the six main committees also ranking as vice-presidents.

The work is distributed among six committees consisting of one representative of each Member state. Since the Third Assembly these have been:<sup>1</sup>

- No. 1. Legal and Constitutional Questions;
- No. 2. Technical Organizations of the League;
- No. 3. Reduction of Armaments;
- No. 4. Budget and Financial Questions;
- No. 5. Social and General Questions;
- No. 6. Political Questions.

Each Assembly appoints three other committees. The Credentials Committee passes upon the membership of the Assembly. The Agenda Committee decides on the disposition of proposals made in the course of the session. As this duty is a delicate one, great care is taken to have on the committee representatives of states which will fully reflect the general opinion of the Assembly. The General Committee consisting of the president, vice-presidents and the chairman of the Agenda Committee, manages the Assembly, determining the time and business of plenary meetings, etc.

The debate on the *Report on the Work of the Council* lasts from six to ten plenary sessions with from 20 to 30 Member states represented among the speakers. The debate is not only a review of work but a forum in which world events are discussed, affording an opportunity to appraise recent action and to develop new activities.

<sup>1</sup> The Assembly has also had committees dealing with:  
General organization (First Assembly);  
Secretariat (First Assembly);  
Permanent Court of International Justice (First Assembly);  
Admission of new members (First Assembly);  
Economic weapon or blockade (First and Second Assemblies);  
Mandates (First Assembly).

These questions are now handled by the general committees above.



The six main committees examine all matters of the agenda, frequently assuming the character of international conferences by the production of declarations of policy or agreements for formal acceptance by the Member states.

The results of the committee deliberations are brought before the plenary meetings in reports, the conclusions of which are adopted as resolutions by unanimous vote. The Assembly as the organ in which all Member states are actively represented is well adapted to map out the program of the coming year and to give indications to the Council and Secretariat on what matters the Members desire results to be sought.

### THE COUNCIL

**Organization.** The Council consists of one representative each of

1. *Permanent Members:* The British Empire, France, Germany (since 1926), Italy, Japan (and the United States, if it elects to sit), all "deemed to be directly affected by all matters within the sphere of action of the League."<sup>1</sup>

2. *Nonpermanent Members:* Nine since 1926, six from 1923 to 1926,<sup>2</sup> originally four from 1920 to 1922, being states selected by the Assembly as representative of countries of limited interests.

3. *Temporary Members:* "Any Member of the League not represented on the Council shall be invited to send a representative to sit as a Member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League" (*Covenant*, Art. 4, par. 5).

The Council acts on behalf of the Members of the League as a whole, not solely on behalf of those whose representatives compose it.

<sup>1</sup> Art. 3 of draft Covenant, Annex 1 to Minutes of the first session of the Commission on the League of Nations, David Hunter Miller, *The Drafting of the Covenant*, II, p. 232.

<sup>2</sup> *Official Journal*, III, p. 1197, 1198, 1415.

"It is impossible to consider . . . the Council as an upper chamber" or "as invested with the executive" power.<sup>1</sup>

"Under the Covenant representatives sitting on the Council. . . render their decisions as the representatives of their respective states and in rendering such decisions they have no standing except as such representatives."<sup>2</sup>

**Functions.** "The Council may deal . . . with any matter within the sphere of action of the League or affecting the peace of the world" (*Covenant*, Art. 4, par. 4).

The Council has certain powers and duties peculiar to it under the Covenant. Among these are:

Naming, with the approval of the majority of the Assembly, of "additional Members of the League whose representatives shall always be members of the Council," a right which was exercised in 1926 with respect to Germany.

The increase, with the approval of the majority of the Assembly, "of the number of Members of the League to be selected by the Assembly for representation on the Council." This right was exercised in 1922 when the nonpermanent Members of the Council were increased from four to six and in 1926 from six to nine.

Approval of appointments made by the Secretary-General.

It shall formulate plans for the reduction of armament and must give its consent to armament exceeding those limitations.

It shall advise as to the evil effects attendant upon the manufacture of arms by private enterprise.

It shall advise in case of aggression.

It may act as a council of mediation or of conciliation (inquiry).

It must make recommendations to the Governments as to contributions to armed forces to be used to protect the covenants of the League.

Its consent is required for the cooperation of the Secretariat with international bureaus and commissions.

<sup>1</sup> *Records of the First Assembly, Plenary Meetings*, p. 318.

<sup>2</sup> *Resolutions adopted by the First Assembly*, 1920, p. 10.

It appoints committees and commissioners, with the exception of the Permanent Military, Naval and Air Commission and the Technical and Advisory Committee on Communications in Transit. The former is made up of Government representatives and the composition of the latter is determined by the General Conference on Communications and Transit.

It supervises the "sacred trust of civilization" embodied in the system of mandated territories.

It prepares a draft budget for submission to the Assembly.

It receives reports from committees and commissioners and gives their conclusions effect by adopting them as resolutions.

Among the wide variety of duties "affecting the peace of the world" falling to the Council under treaties are:

Joint election (with the Assembly) of judges of the Permanent Court of International Justice.

The protection of racial, religious and linguistic minorities.

The Saar Basin administration.

Control of armament in Germany, Austria, Bulgaria, Hungary.

The Straits Commission annual reports.

Disputes referred to it under many treaties.

**Procedure.** The Council held 53 sessions from 1920 to 1928 and handled 2,400 items of business. The agenda is prepared by the Secretariat from recommendations of Member states.

The president of the Council is the representative of a Member whose turn has arrived in rotation according to the alphabetical order of the states represented. He acts until the succeeding session.

Meetings are invariably public, the only regular exception being for the discussion of appointments. Full proceedings are published.

Decisions are unanimous, usually without a record vote. All matters of procedure, which include decisions taken in virtue of the Rules of Procedure, are determined by ma-

majority vote of the Members of the League represented and voting at the meeting.<sup>1</sup>

Representatives of Members of the League attend sessions with full powers authorizing them to bind their Governments in case a decision takes the form of an international instrument.

The Council on August 31, 1923, decided that it should hold regular meetings on the Monday immediately preceding December 10, March 10 and June 10 and that the fourth session should begin three days before the meeting of the Assembly. Extra sessions may be held if necessary. Since 1926 the August-September meeting has split into two sessions, the Council reorganizing after the election of the nonpermanent Members by the Assembly. In March, 1927, the British representative raised the question of reducing the annual number of sessions from four to three to facilitate the attendance of foreign ministers as representatives. Reports and discussions are under consideration by Member states and a decision is expected after the 1929 Assembly.<sup>2</sup>

**Rapporteurs.** The rules of procedure provide that questions should be examined and reported upon by the representatives of Members neutral to the subject matter. On February 2, 1923, the experience of the previous three years was consolidated into a list of subjects and rapporteurs. With a change in the composition of the Council in 1926, annual revision, in view of the changes in states represented on the Council, has since been required. On September 19, 1928, the following list of rapporteurs for 1928-29 was approved at the 52nd session of the Council:

- |  |           |
|--|-----------|
| 1. Financial questions . . . . .               | Cuba      |
| 2. Economic questions . . . . .                | Germany   |
| 3. Transit Committee . . . . .                 | Poland    |
| 4. Health . . . . .                            | Spain     |
| 5. International law . . . . .                 | Italy     |
| 6. Finances of the League of Nations . . . . . | Persia    |
| 7. International bureaus . . . . .             | Venezuela |

<sup>1</sup> *Rules of Procedure of the Council*, May 17, 1920, *Official Journal* I, p. 272.

<sup>2</sup> *Official Journal*, VIII, p. 819, 743; IX, p. 141, 173.

8. Mandates . . . . .	Finland
9. Minorities . . . . .	Japan
10. Armaments . . . . .	Rumania
11. Saar . . . . .	Italy
12. Danzig . . . . .	Chile
13. Intellectual Cooperation . . . . .	France
14. Opium . . . . .	Canada
15. Traffic in Women and Children . . . . .	Great Britain
16. Humanitarian questions . . . . .	Venezuela
17. Child Welfare . . . . .	Canada

**Nonpermanent Members.** The term of office of the Council with respect to nonpermanent Members was fixed by Assembly resolution of December 11, 1920, as running from January 1. Rules adopted by the Assembly on September 15, 1926, provide that nonpermanent Members shall take office immediately on election in September. The year of the Council, from 1920 to 1926 therefore, was on the calendar; periods since then have been: September 16, 1926–September 15, 1927; September 15, 1927–September 10, 1928; September 10, 1928–September, 1929.

The states which have served are as follows, the asterisk indicating the nine current members:

BELGIUM (1920–27)	NETHERLANDS (1926–28)
BRAZIL (1920–26)	*PERSIA (1928–31)
*CANADA (1927–30)	*POLAND (1926–29) <sup>1</sup>
*CHILE (1926–29)	*RUMANIA (1926–29)
CHINA (1921–23, 1926–28)	SALVADOR (1926–27)
COLOMBIA (1926–28)	*SPAIN (1920–26, 1928–31) <sup>1</sup>
*CUBA (1927–30)	SWEDEN (1923–26)
CZECHOSLOVAKIA (1924–27)	URUGUAY (1923–26)
*FINLAND (1927–30)	*VENEZUELA (1928–31)
GREECE (1920)	

The first four nonpermanent Members of the Council were designated in the Covenant. They were intended to be one less than the permanent Members, but the Council's need for disinterested rapporteurs, the amount of

<sup>1</sup> Also reeligible for further term of three years.

work, and the desire of Member states to participate caused an increase to six in 1922. At the Council meeting, in March, 1926, held simultaneously with the Special Assembly, and in that Assembly, the claims of Brazil and Spain to permanent Council seats along with Germany — obviously a state with “general interests” — led to a re-examination of the whole problem of selecting nonpermanent Members of the Council adequately representative of the entire League membership.

In 1920 doubt had been expressed in the First Assembly as to its competence under the Covenant to decide that problem in a fundamental manner. The doubt was corrected by an amendment to Art. 4, par. 2, of the Covenant. Pending its sufficient ratification the problem lay in abeyance. Spain, wishing to retain a nonpermanent seat, had not signed the protocol of amendment, so that the amendment could not become effective. The sharp attention drawn to this condition by the failure of the Special Assembly to accomplish the admission of Germany, concentrated attention upon establishing membership in the Council on a firm basis. A Committee on the Composition of the Council of 15 representatives of Member states was appointed by the Council on March 18, 1926.<sup>1</sup> The pressure of general opinion led Spain to ratify the amendment, which entered into force on July 29, 1926.<sup>2</sup> The committee in its later studies and the Seventh Assembly were therefore able to consider the problem under the following stipulations of the Covenant:

Art. 4. 2. With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

2 *bis*. The Assembly shall fix by a two-thirds majority the rules dealing with the election of the nonpermanent members of the Council, and particularly such regulations as relate to their term of office and the conditions of reeligibility.

<sup>1</sup> *Official Journal*, VII, p. 533.

<sup>2</sup> *Ibid.*, p. 870.

The problem which the Assembly was now free to solve was very complicated. The Assemblies of 1922-25 had reiterated that it was desirable for the Assembly to choose nonpermanent Members of the Council "with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilization and the chief sources of wealth." The Sixth Assembly had declared for "application of the principal of rotation." Brazil, China, Poland, Spain and perhaps other states had developed at the Special Assembly ambitions to be permanent Members. They raised the thorny question of how many states can in fact legitimately claim that all matters coming before the Council directly or specially affect their interests. In addition, the number of Council Members had to be limited to preserve its essential character as a body taking decisions. A permanent place was reserved for the United States under the Covenant and another was earmarked for the Soviet Union.

The Committee on the Composition of the Council sought the answer to the problem. It ended its second session September 3, 1926, and the next day the Council approved its report and passed a resolution to carry out its provisions so far as that body was concerned, by appointing Germany a permanent Member and increasing to nine the nonpermanent members. The Assembly submitted the report to some revision in its First Committee and on September 15 adopted its conclusions as a set of rules. The essentials of these read:<sup>1</sup>

*Article I.* The Assembly shall each year, in the course of its ordinary session, elect three nonpermanent members of the Council. They shall be elected for a term commencing immediately on their election and ending on the day of the elections held three years later by the Assembly. . . .

*Art. II.* A retiring member may not be reelected during the period between the expiration of its term of office and the third election in ordinary session held thereafter unless the Assembly, either on the

<sup>1</sup> *Resolutions and Recommendations of the Assembly . . . 1926 (Official Journal, Spec. Sup. No. 43) p. 9-10.*

expiration of the member's term of office or in the course of the said period of three years, shall, by a majority of two-thirds of the votes cast, previously have decided that such member is reeligible.<sup>1</sup> . . .

The Assembly may not decide upon the reeligibility of a member except upon a request in writing made by the member itself. . . .

The number of members reelected in consequence of having been previously declared reeligible shall be restricted so as to prevent the Council from containing at the same time more than three members thus elected. . . .

*Art. III.* Notwithstanding the above provisions, the Assembly may at any time by a two-thirds majority decide to proceed, in application of Art. 4 of the Covenant, to a new election of all the non-permanent members of the Council. In this case the Assembly shall determine the rules applicable to the new election.

**Temporary Members.** By Art. 4, par. 5, of the Covenant any Member of the League not represented on the Council is entitled to representation as a Member during consideration of matters specially affecting its interests. The same principle is applied to non-Members of the League. Organizations both of League and non-League origin have official representatives at sessions dealing with matters concerning them and participate in the proceedings. By virtue of these practices the participation of non-Council Members may equal in number that of Council Members. In 15 sessions in 1925-27 a total of 120 states and 58 committees participated. A state's representative so attending sits and votes as a Member. The extra-Council attendance at the 37th session in December, 1925, for instance was:

Albania, Austria, Bulgaria, Danzig, Denmark, Greece, Hungary, Netherlands, Persia, Poland, Rumania, Serb-Croat-Slovene State and Turkey. The Commission of Inquiry on Bulgaro-Greek Affairs, the Assistant High Commissioner for Hungary, the Commissioner-General for Austria, the Committee of Control of the Austrian Loan, the Permanent Mandates Commission, the High Commissioner for Danzig, the Commissioner on the Iraqi-

<sup>1</sup> Poland was voted reeligible in 1926 and Spain, by special extension of the right to apply, in 1928, Belgium was denied reeligibility in 1927 and China in 1928.



Turkish Frontier and the Mixed Commission on the Greco-Turkish Exchange of Populations were also represented or present.

### THE SECRETARIAT

**Functions.** "The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required" (*Covenant*, Art. 6).

"All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

"Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

"The buildings and other property occupied by the League or its officials or by representatives attending its meetings shall be inviolable" (*Covenant*, Art. 7).

"The members of the Secretariat act, during their period of office, in an international capacity, and are not in any way representatives of their own country."<sup>1</sup>

By Art. 18 of the *Covenant* the Secretariat shall publish as soon as possible every treaty or international engagement registered with it.

The Secretary-General appoints the personnel with the approval of the Council. He acts as secretary-general at all meetings of the Assembly and Council.

The Secretary-General shall summon a meeting of the Council under Art. 11, par. 1, of the *Covenant*.

**Organization.** The Secretariat comprises the Secretary-General, Sir Eric Drummond, and about 475 men and women of some 40 nationalities. Appointments are made by the Secretary-General, with the approval of the Council. However, the Secretary-General has established Staff Regulations which in large measure control nominations for appointment.

<sup>1</sup> Memorandum of Secretary-General to Fifth Session of the Council, May 19, 1920, *Procès-verbal of the 5th Session*, p. 219

The Secretariat includes a Deputy Secretary-General (French) and three Under Secretaries-General (German, Italian and Japanese), who have charge respectively of Internal Administration and, as directors, of the Section of International Bureaus and Intellectual Cooperation, and of the Political Section. Included in the General Organization are the Information Section and its Liaison Offices in Paris, Rome, Budapest, The Hague, Tokyo and Turkey, the Legal Section (which acts as counsel to all League organs and deals with all matters concerning the registration of treaties), and the Treasurer's Office.

The Special Organizations of the League are served by the following Sections of the Secretariat: Administrative Commissions and Minorities Questions, Economic and Financial, Mandates, Transit, Health, Social Questions and Opium Traffic, Disarmament, Intellectual Cooperation.

The Internal Administrative Services comprise the Personnel Office, Précis-Writing Department, Printing and Publications Department, Drafting Committee, Interpreters and Translators, Library, Registry and Indexing of Publications Service, Internal Control Office, Internal Services, Stationery, Supplies and General Contracts, Stenographers' Branch, Distribution of Documents, Miscellaneous Services and House Staff.

The complete Staff List was published annually in No. 1 of the *Official Journal* until it was decided in 1928 to print it in No. 11 of each year.

The Eighth Assembly on September 26, 1927, adopted a statute establishing, until the Assembly of 1931, an administrative tribunal in order to provide a forum for disputes arising from staff contracts, and particularly to remove that administrative detail from the shoulders of the chiefs of League organizations. The tribunal consists of three judges and three deputy-judges, all of different nationalities, and their judgments, which are final and without appeal, are to be taken by a majority vote, with the reasons therefor stated. The tribunal is competent for any disputes concerning compensation under the Staff Regu-

lations. The tribunal was organized as of January 1, 1928.<sup>1</sup>

**Character.** Some permanent appointments to the original Secretariat were for seven years under contract and expired with the year 1926 or early in 1927. The Council on May 19, 1920, approved the provisional appointments of the Secretary-General made under the authority of the Organization committee for a period of five years.<sup>2</sup> Reappointments may be made.

A Committee of Experts was appointed to study the many problems connected with the Secretariat in accordance with an Assembly resolution of December 17, 1920. A report based on its studies was adopted by the Assembly on October 1, 1921,<sup>3</sup> in which definite rules of tenure were laid down. On this basis the higher officials through the directors of sections hold office for a maximum period of seven years, reappointments being in the nature of exceptions to the rule.

Members of sections and officers of equivalent grade receive permanent appointments divided into Classes A and B, the requirements being "high educational qualifications and . . . very considerable capacity and qualities of initiative and resource." Permanent service is for a period of 21 years, with an age limit of 55. The 21 years consists of three periods of seven years each. The subordinate staff (Class C), shorthand typists, etc., have a tenure of 28 years, divided into four periods. Staff of lower grade has no fixed tenure. Promotion occurs throughout the whole Secretariat.

At the Ninth Assembly there was expressed the fear that the Secretariat was undergoing a change for the worse and that the principles laid down in the Balfour memorandum of May 19, 1920,<sup>4</sup> were not being fully realized. Certain states were not yet "represented" in the Secretariat; nationals of a certain group filled too large a number of posts; there was a growing tendency for the higher officials

<sup>1</sup> *Official Journal*, IX, p. 172.

<sup>2</sup> *Procès-verbal of the Fifth Session*, p. 37, 237.

<sup>3</sup> *Records of the Second Assembly, Plenary Meetings*, p. 594, 600.

<sup>4</sup> *Official Journal*, I, p. 136.

to be members of the diplomatic service of their respective countries, and certain states laid a permanent claim to high posts. The matter was debated in the Fourth Committee.

The Assembly adopted a resolution indorsing the principles concerning the staff of the Secretariat contained in the report adopted by the Council on May 19, 1920. "In the words of this report, the Secretary General, in making appointments to posts on the Secretariat, 'had primarily to secure the best available men and women for the particular duties which had to be performed. But in doing so, it was necessary to have regard to the great importance of selecting officials from various nations. Evidently no one nation or group of nations ought to have a monopoly in providing the material for this international institution.' Lord Balfour emphasized the word 'international' because the members of the Secretariat, once appointed are no longer the servants of the country of which they are citizens, but become for the time being servants only of the League of Nations. Their duties are not national, but international."<sup>1</sup>

### 3. Finances of the League

**Allocation.** "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly" (*Covenant*, Art. 6, par. 5).

The above provision is an amendment to the Covenant which went into force on August 13, 1924. The original provision apportioned the expenses on the basis of a scheme adopted for the Universal Postal Union, under which the first three budgets were allocated, with subsequent modifications.

The First Assembly recommended to the Council "the immediate appointment of a special committee . . . to investigate the question of the allocation of the expenditure of the League, with a view to an equitable scheme of allocation being devised."<sup>2</sup> The committee on allocation of expenses was first appointed on December 14, 1920. It

<sup>1</sup> *Resolutions and Recommendations adopted by the Assembly . . . 1928*, p. 62.

<sup>2</sup> *Resolutions adopted by the Assembly, 1920*, p. 27; see also *Records of the First Assembly. Records of Committees*, II, p. 125.

was not until 1925 that the committee completed its work and a scheme was voted by the Sixth Assembly for the years 1926, 1927 and 1928. This was reexamined in 1928 and its revision postponed to 1930 when it is hoped fully stabilized conditions will prevail. The Ninth Assembly continued the 1926-28 scheme of allocation for the years 1929, 1930, 1931, and 1932. The report of the Fourth Committee to the Sixth Assembly presented a plan based on postwar data which overcame many difficulties in weighing fiscal ability of Members.<sup>1</sup>

SCALE OF ALLOCATION OF THE EXPENSES OF THE LEAGUE FOR 1929-32

Country	Units	Country	Units
Abyssinia . . . . .	2	Italy . . . . .	60
Albania . . . . .	1	Japan . . . . .	60
Argentina . . . . .	29	Latvia . . . . .	3
Australia . . . . .	27	Liberia . . . . .	1
Austria . . . . .	8	Lithuania . . . . .	4
Belgium . . . . .	18	Luxemburg . . . . .	1
Bolivia . . . . .	4	Netherlands . . . . .	23
Bulgaria . . . . .	5	New Zealand . . . . .	10
Canada . . . . .	35	Nicaragua . . . . .	1
Chile . . . . .	14	Norway . . . . .	9
China . . . . .	46	Panama . . . . .	1
Colombia . . . . .	6	Paraguay . . . . .	1
[Costa Rica] . . . . .	[1]	Persia . . . . .	5
Cuba . . . . .	9	Peru . . . . .	9
Czechoslovakia . . . . .	29	Poland . . . . .	32
Denmark . . . . .	12	Portugal . . . . .	6
Dominican Republic . . . . .	1	Rumania . . . . .	22
Estonia . . . . .	3	Salvador . . . . .	1
Finland . . . . .	10	Serb-Croat-Slovene State . . . . .	20
France . . . . .	79	Siam . . . . .	9
Germany . . . . .	79	Spain . . . . .	40
Great Britain . . . . .	105	South Africa (Union of) . . . . .	15
Greece . . . . .	7	Sweden . . . . .	18
Guatemala . . . . .	1	Switzerland . . . . .	17
Haiti . . . . .	1	Uruguay . . . . .	7
Honduras . . . . .	1	Venezuela . . . . .	5
Hungary . . . . .	8		
India . . . . .	56		986
Irish Free State . . . . .	10		

<sup>1</sup> *Records of the Sixth Assembly, Plenary Meetings*, p. 420.

**Budgets.** The budget meets the expenses of the Assembly, the Council and the Secretariat; the International Labor Office, and the Permanent Court of International Justice since 1922. The total budgets have been:

Period	Amount	Unit
1. May 5, 1919–June 30, 1920	£291,078 15s. 10d =\$1,416,535	£648
2. April 1–Dec. 31, 1920	10,000,000 gold francs =\$1,930,000	20,920 gold francs (Swiss)
3. Jan. 1–Dec. 31, 1921	21,250,000 gold francs =\$4,101,250	
4. Jan. 1–Dec. 31, 1922	20,873,945 gold francs =\$4,028,671	
5. Jan. 1–Dec. 31, 1923	25,673,508 gold francs =\$4,954,987	
6. Jan. 1–Dec. 31, 1924	23,233,635.7 gold francs =\$4,483,007 69	\$4,810 09
7. Jan. 1–Dec. 31, 1925	22,658,138 gold francs =\$4,371,963 49	4,675 90
8. Jan. 1–Dec. 31, 1926	22,930,633 gold francs =\$4,424,542 31	4,722 03
9. Jan. 1–Dec. 31, 1927	24,512,341 gold francs =\$4,729,738.17	4,659 84
10. Jan. 1–Dec. 31, 1928	25,333,817 gold francs =\$4,888,244 69	4,787 39
11. Jan. 1–Dec. 31, 1929	27,026,280 gold francs =\$5,214,811 09	5,288.86

The budget for 1929 is divided as follows:

	Gold francs
I. Secretariat and Special Organizations . . .	14,713,085
II. International Labor Organization . . .	8,612,640
III. Permanent Court of International Justice . . .	2,255,555
IV. Buildings at Geneva . . . . .	1,445,000
Total . . . . .	27,026,280

The total budgetary contributions up to December 31, 1925, exclusive of the Working Capital Fund, amounted to 116,232,938.29 gold francs. The allocation of actual expenditure, including payment for the Secretariat office and the International Labor Office building, up to the same date based on annual scales of apportionment was

97,872,077.76 francs. The amounts overpaid by the Member states reached a total of 22,837,481.83 francs, while amounts underpaid by Bolivia, China, Honduras, Liberia, Nicaragua, Peru and Salvador reached a total of 4,476,621.30 francs.<sup>1</sup> As a consequence of these circumstances the Supervisory Commission decided upon a readjustment in the 1927 budget so as to refund to Member states all surpluses which had accumulated up to December 31, 1925. Rules to govern refunds were laid down<sup>2</sup> and 1,400,000 francs (\$270,134.68) was assigned for deduction from the budget annually for 1927 and succeeding years until the readjustment is completed.

#### SUPERVISORY COMMISSION

The First Assembly examined the financial arrangements previously made by the Secretariat with great care, and on December 17, 1920, voted that the Council should appoint "a small committee of experts to consider all factors connected with the organization, method of work, efficiency, number, salaries and allowances of the staff, and with the general expenditure of the whole organization,"<sup>3</sup> as well as with all other points necessary to enable the Assembly to form a fair judgment in respect thereto, both as regards the Secretariat and the International Labor Office." A committee of five began a preliminary investigation on April 18, 1921, and sat from April 26 to May 7, when it presented a report to the Council. This report was transmitted to the Second Assembly<sup>4</sup> which on October 5, 1921,<sup>5</sup> passed a recommendation that the committee be reappointed by the Council to continue its work. The Council on October 12, 1921, appointed the Commission of Control. The name was subsequently retranslated as the Supervisory Commission. The Ninth Assembly

<sup>1</sup> *Supervisory Commission Report . . . on its 18th and 19th Sessions* (1926. X. 8), p. 4-5.

<sup>2</sup> The "Regulations for the Financial Administration of the League of Nations" are printed in *Official Journal*, V, p. 78.

<sup>3</sup> *Records of the Second Assembly. Meetings of the Committees*, II, p. 174.

<sup>4</sup> *Ibid.*, *Plenary Meetings*, p. 595.

decided that the commission should thereafter be elected by the Assembly, thus emphasizing its control over the finances.

**United States Payments.** The American legation in Bern was authorized on January 6, 1928, to pay to the Secretariat of the League a total of \$16,748.60 (the check was for 83,743 Swiss francs) as the American share of the League Secretariat expenses in connection with certain conferences in which the United States participated. Of the total amount, \$5,475 was for the four sessions of the Preparatory Commission for the Disarmament Conference. The remainder met expenses for the Conference on Export and Import Prohibitions and Restrictions, and the Conference on Communications and Transit. The contribution was made at the suggestion of the United States Government on the basis of figures prepared by the Secretariat. The Department of State stated that "the American contribution is the same as the British, which is the largest sum hitherto paid by any country." From this it is to be concluded that the United States bases its payments upon the 105 units of the budget assigned to Great Britain. In addition to this payment, the United States Government buys documents from the League to the amount of \$400 annually.

Previous payments of a similar character were made in the amount of \$2,900 in 1925 as a result of participation in the Second Opium Conference and of \$2,700 in connection with participation in the Conference on Traffic in Arms, also held in 1925.

#### ASSEMBLY HALL

The Fifth Assembly requested the Council to appoint architects to draw up the conditions of a competition for plans for a new conference hall. The Secretariat is housed in the former Hotel National, situated in grounds of its own on the west side of Lac Léman. Additional property adjacent was added by gift from the Canton and City of Geneva, making a total site of 13,104 square meters



(141,051 square feet). The only large building available for the Assembly is the Hall of the Reformation across the lake, a mile or more away. The Assembly early considered it desirable to have the hall for its meetings more accessible to the Secretariat, where the Council holds its sessions and where all files and other records are kept.

In 1923 a resolution in favor of erecting a hall on the land given by the Canton and City of Geneva, adjacent to the Secretariat, was passed. The available site offered perhaps 5,000 square meters (50,382 square feet) for the purpose. The architects considered this site too small and another site was proposed farther up the west side of the lake between the Parc Mon Repos and the International Labor Office building. This consisted of four properties, one of which was not obtainable. Consequently, the Ninth Assembly concluded arrangements with the Genevan authorities to place the new buildings in Ariana Park, which abuts on the International Labor Office property on the lake front. The area acquired by the exchange is about 250,000 square meters.

In September, 1927, John D. Rockefeller, Jr., tendered, and the Council and Assembly accepted, \$2,000,000 for the construction and endowment of a League Library which would also provide full and adequate facilities for private research work.<sup>1</sup> A special committee is working on conditions to be met and is securing plans.

An international jury of architects for the selection of plans by competition for the new Assembly Hall was appointed by the Council in September, 1924. The competition closed on January 25, 1927. None of the prize-winning plans was deemed entirely suitable and a committee was appointed to adapt them. The change of site to Ariana Park necessitates still further adjustments in the plans. The Assembly Hall and new Secretariat will cost 19,500,000 francs, or about \$3,900,000.

<sup>1</sup> *Official Journal*, VIII, p. 1132.

#### 4. Registration of Treaties

"Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered" (*Covenant*, Art. 18).

"Publicity has for a long time been considered as a source of moral strength in the administration of national law. It should equally strengthen the laws and engagements which exist *between nations*. It will promote public control. It will awaken public interest. It will remove causes for distrust and conflict. Publicity alone will enable the League of Nations to extend a moral sanction to the contractual obligations of its Members. It will, moreover, contribute to the formation of a clear and indisputable system of international law." (Memorandum approved by the Council, May 19, 1920.)<sup>1</sup>

**Registration.** Certified, complete texts are communicated to the Secretariat by one or all parties to the engagement. Certificates of registration are delivered to the party registering the document.

A register, entitled "Registration of Treaties," an elephant folio series of volumes marked off in columns, is kept. In these volumes are inscribed the names of the parties to the engagement, its short title, date of signing, date of ratification, date of registration and registration number, determined chronologically by the order of presentation. In a supplementary register each treaty or engagement is assigned a separate page, on which are noted additional signatures, ratifications, adhesions, denunciations, etc., as well as records of negotiations, national legislation, and other details of the document's history.

**Treaty Series.** The obligation of publishing international engagements is met by the issuance of the *Treaty*

<sup>1</sup> *Treaty Series*, I, p. 9.

*Series: Publication of Treaties and International Engagements Registered with the Secretariat of the League.*

The first treaty was filed for registration by Denmark, Norway and Sweden on July 5, 1920, and was registered the same day. The first issue of the *Treaty Series* was published in September, 1920, and contained nine treaties. Seventy-two volumes of over 400 pages each have been issued up to 1929.

Texts are published in the languages of negotiation, and in French and English, if either of these official League languages were not used for the original texts.

The total registration, which does not include treaties filed by the United States for publication, on November 1, 1928, was 1859, as follows:

1920	July-December	.	.	.	.	.	.	70
1921	January-December	.	.	.	.	.	.	128
1922	January-December	.	.	.	.	.	.	165
1923	January-December	.	.	.	.	.	.	180
1924	January-December	.	.	.	.	.	.	251
1925	January-December	.	.	.	.	.	.	249
1926	January-December	.	.	.	.	.	.	350
1927	January-December	.	.	.	.	.	.	221
1928	January-October	.	.	.	.	.	.	211
Total								1,859

### III. PROMOTION OF INTERNATIONAL COOPERATION

The Assembly and Council are assisted in specific phases of League business by what are known as Technical Organizations. The fully developed technical organization devotes itself to a single field of international relations and consists of three parts: 1, A section of the Secretariat serving as an exploring, recording and secretarial body; 2, An advisory or technical committee composed of experts serving to give definite form to the material placed before the committee by Member states or the Secretariat; 3, Conferences of representatives of Member and other states convened on the advice of the committee and on invitation from the Council, resulting in international conventions submitted by signatory states to their appropriate internal organs for ratification.

The technical organizations are "established for the purpose of facilitating the task of the Assembly and the Council . . . on the one hand and on the other to assist Members of the League by establishing direct contact between their technical representatives in the various spheres, to fulfil their international duties. With this double object, they must keep enough independence and flexibility to make them effectively useful to the Members of the League, and yet they must remain under the control of the responsible organizations which conduct the general business of the League."

#### 1. Economic and Financial Organization

On the invitation of the Secretary-General a conference on International Cooperation in Statistics was held in London, August 14-15, 1919, before the League was formally in being. The Council at Rome in May, 1920, appointed a commission to advise it upon what steps should

be taken. This commission met at Paris on October 10, 1920, and surveyed the field, which was then more or less dominated by the Supreme Economic Council, a development from the Supreme War Council which had been active during the World War. Eventually, in July, 1921, the League continued the publication of the *Monthly Bulletin of Statistics*, which otherwise would have ceased with the dissolution of the Supreme Economic Council in the previous May.

The first definite action of the League in this field was the convening of the Brussels International Financial Conference which sat from September 24 to October 8, 1920, and was attended by representatives of 39 states, including the United States. The conference produced a series of resolutions which were generally recognized as a fundamental statement of the financial problems involved in reconstruction.

The resolutions of the conference were forwarded to Member states by the Council, which, in accordance with them, on October 25, 1920, decided upon the creation of a financial and economic organization consisting of two sections of 10 members each to proceed separately with their technical work and to meet as a single committee whenever proposals of a general nature are to be laid before the Council, or at the request of either.<sup>1</sup> The First Assembly confirmed this action. The Provisional Economic and Financial Committee was appointed by the Council on November 14, 1920. It was continued provisionally through the calendar years 1922 and 1923 by the Council.<sup>2</sup> On September 10, 1923, the Council prolonged its term of office until further orders and the title became Economic and Financial Commission.<sup>3</sup>

<sup>1</sup> Council, *Minutes of the 10th Session*, p. 29 and 209.

<sup>2</sup> Council, *Minutes of the 14th Session*, p. 101; *Official Journal*, III, p. 1398.

<sup>3</sup> *Official Journal*, IV, p. 1303.

## THE ECONOMIC ORGANIZATION

The Economic and Financial Commission from 1920 to 1927 was divided into the Financial Committee and Economic Committee, each consisting of 10 members. It was the Economic Committee alone which was primarily concerned in preparation for the International Economic Conference. That conference expressed the opinion that its success would depend upon the execution of the principles laid down by it, and, with respect to appropriate organization, drew "the Council's attention to the well-balanced composition of the Preparatory Committee, which has yielded excellent results."

The Eighth Assembly dealt with the reorganization. Its resolution stated that much important and extensive work would result from the recommendations of the Economic Conference in addition to the economic tasks hitherto taken up by the League. It called attention to the essential desirability of the different interests and organizations which had collaborated in the preparation of the conference continuing to give their support and advice. It, therefore, concluded that the Economic Committee should continue as "the organ through which the Council deals with economic affairs" and that it should be constituted "so as to be best suited for its principal work which, in the near future at least, will lie within the sphere of the economic relations between states and their economic policies so far as they have international aspects." The resolution<sup>1</sup> envisaged three bodies, in addition to the Secretariat:

- (a) The Economic Committee;
- (b) "Temporary subcommittees of experts for preparatory work and, subject to Council approval and in consultation with the states in question, economic correspondents in countries which have no member on the committee;" and
- (c) "A Consultative Committee the object of which is

<sup>1</sup> *Official Journal*, VIII, p. 1482.

to follow the application of the Economic Conference recommendations."

The Economic Committee provided by the Council on September 27, 1927, consists of 15 members of different nationalities appointed in their personal capacity on the ground of their qualifications and holding office for three years. Retiring members become "corresponding members" unless succeeded by a member of the same nationality.

The Consultative Committee was established by the Council, December 9, 1927,<sup>1</sup> with a membership of about 60. The committee is modeled in make-up after the Preparatory Committee for the International Economic Conference and includes persons competent in industry, commerce, agriculture, finance, transport, labor questions, and questions relative to consumption. Three members from the International Chamber of Commerce are provided for.

### WORLD ECONOMIC CONFERENCE

The Sixth Assembly, on the proposal of the French delegation, called for an international economic conference because it was "convinced that economic peace will largely contribute to security among nations" and was persuaded of the necessity of investigating difficulties affecting the revival of general prosperity.

The proposal was universally recognized as of fundamental importance and every effort was made to insure that no stone was left unturned to bring forth the soundest judgment, unaffected by political considerations of any kind. The first step was for the Council to appoint a Preparatory Committee composed of the experts best fitted by their qualifications and personal experience to prepare the work of the conference, and not of representatives of Governments or organizations. It was given full scope<sup>2</sup> and for

<sup>1</sup> *Official Journal*, IX, p. 171-172. The committee includes nationals of the following countries. Australia, Austria, Belgium, Great Britain, Canada, Chile, China, Colombia, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Luxembourg, Netherlands, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Spain, Sweden, Switzerland, United States.

<sup>2</sup> *Official Journal*, VI, p. 185, 238, 358.

over a year its 35 members from 21 countries worked on the program and collected and published in 60 memoranda an enormous amount of material, compiled with the aid of official and private organizations throughout the world and covering an extremely wide range of subjects.<sup>1</sup>

The International Economic Conference summoned by the Council sat at Geneva from May 4 to 23, 1927, and was attended by 190 delegates and 157 experts from 50 countries.<sup>2</sup> It was also attended by observers from Mexico; by representatives of the Chambers of Commerce and other international organizations appointed by the Council, and by experts invited by the president of the conference.

The delegates, selected by their Governments on the basis of technical and personal qualifications, were not spokesmen of any official policy, and their personal responsibility alone was engaged. They included industrialists, merchants, bankers, economists, agriculturists, officials with experience of commercial policy, representatives of workers' and consumers' organizations and cooperative societies and three women specialists in economic matters.

The main object of the conference as recommended by the Assembly was to bring about a general exchange of views on existing economic difficulties and the means of overcoming them—to evoke collective opinion on the conditions, principles and guaranties which might serve as a starting point for the improvements and progress necessary to restore greater freedom to international commerce. The conference was only a stage in the continuous work of collaboration in the economic sphere which began before the project of a general conference was launched, and continues after the conference itself.

<sup>1</sup> The documentation is on sale by World Peace Foundation (catalog furnished); see also World Peace Foundation Pamphlets, Vol. X, No. 4 and *Report to the Council on the Second Session of the Committee* (1926. II. 57), p. 4.

<sup>2</sup> The countries represented were Abyssinia, Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Danzig, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Persia, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, South Africa, Sweden, Switzerland, Turkey, Union of the Socialist Soviet Republics, United States, Uruguay and Venezuela.



**The Final Report** of the conference was a full review of the economic position in the world in 1927. Generally, it was found that production and consumption were greater than before the war, but that they were unevenly distributed throughout the world. The inequalities affected international trade injuriously. Industries enjoyed unequal prosperity, some suffering undue depression. The world had not adjusted itself to such abnormal charges as war debts and to the sudden increase in manufacturing facilities in countries formerly producing only raw materials.

The very extensive report based upon the resolutions of the conference dealt in general and in detail with (1) commerce in its relation to liberty of trading, customs tariffs, commercial policy and treaties; (2) industry in its relation to the general situation, rationalization, international industrial agreements and industrial information; (3) agriculture in several general and various special aspects.

The Final Report is textually available in separate form <sup>1</sup> and should be read as a whole in order to comprehend the new orientation which the conference has given to the world's economy. Though its conclusions were those of experience rather than of governmental authority, their clearness, logic and practical value gave them a high standing without delay. The Assembly in a resolution on September 20, 1927,

Believes . . . that there is every reason to hope for universal approval when the public opinion of all countries has been sufficiently instructed; . . .

Trusts that the economic policies of all countries may develop in accordance with the principles laid down by the conference and desires that the Economic Organization of the League should take these recommendations as the basis of its work.

No state has disapproved of the *Final Report* and its recommendations. On the other hand, 30 Governments

<sup>1</sup> *The World Economic Conference, Final Report* (C. E. I. 44 (1), p. 49) and *Report and Proceedings of the World Economic Conference, held at Geneva, May 4th to 23rd, 1927* (C. 356. M. 129. 1927, II. 52).

have accepted it in whole or in part or by general approval.<sup>1</sup> It may be regarded as the international program for economic peace and progress.

### ECONOMIC CONSULTATIVE COMMITTEE

The first session of the Economic Consultative Committee was held in Geneva May 14-19, 1928, exactly a year after the International Economic Conference. Its function is to survey the economic situation as it has developed since the conference with particular attention to the way in which its recommendations are being applied.

Its report<sup>2</sup> reviewed action taken on the Final Report and noted that it had influenced the independent action of Governments. The rising movement of tariffs had ceased but their decrease had not begun. As to future work it laid stress on the importance of the program already begun by the Economic Committee and pointed to the following new tasks:

A study of the subjects of rationalization and industrial agreements, and the provision of adequate statistics and information concerning industrial development.

The serious position of the coal and sugar industries should be studied to ascertain whether concerted international action could further the solution of the problems presented.

Information should be collected concerning the intensification of agricultural production, training, cooperation, credits, means of transport, marketing and development of direct relations between producers' and consumers' Cooperative Societies.

A preliminary study should be made of some of the more important principles and tendencies in financial and economic policy which tend to create or destroy conditions favorable to peace.

The maintenance of stabilized currencies at par and prevention of fluctuations in the purchasing power of gold.

<sup>1</sup> *Official Declarations concerning the Recommendations of the International Economic Conference*, (C. E. I. 45 (1). 1928. II. 4). The Governments are: Australia, Austria, Belgium, British Empire, Bulgaria, Canada, Chile, Cuba, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Hungary, India, Italy, Japan, Luxemburg, Netherlands, Norway, Persia, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Sweden, Switzerland, Union of Socialist Soviet Republics and Uruguay.

<sup>2</sup> *Official Journal*, IX, p. 1114; the proceedings are C. 217. M. 73. 1928. II. 18, on separate sale.

## ECONOMIC COMMITTEE

In June, 1927, the Economic Committee concluded that its immediate task was to carry out the commercial policy advocated by the conference. It began an inquiry concerning customs tariffs and commercial treaties on that basis.<sup>1</sup> By June, 1928, it had reached some conclusions. The committee then unanimously recognized that no new tariffs should be instituted or existing ones recast without taking account of their effect on international trade. Customs tariffs may be established by treaty after negotiation (bargaining tariffs) or by legislation not subject to treaty alteration (intangible tariffs). The committee did not conclude whether the effect of a tariff on international trade was compatible with the theory of the intangible tariff, applied without discrimination.

Incompatibility would exist if the intangible tariff constituted an intolerable obstacle to foreign trade. States applying that system should be ready to examine the claims of other states and establish rates for fairly long periods.

As to bargaining tariffs the committee recommended reduction of the margin of negotiation, consolidation of tariffs and conclusion of long-term agreements.

Not only customs tariffs but commercial policy revolves largely around the most-favored-nation clause, of which there are several conceptions in practice. A careful report explored this complicated subject and the committee in October, 1928, began seeking a formula that would command general acceptance and serve as a basis for reducing the confusion which exists by reason of the numerous variations of current commercial policy.

The June report laid stress upon reduction of tariffs by bilateral and collective action. Respecting collective action the results of the conference on hides, skins and bones<sup>2</sup> offered a precedent. The committee chose a number of basic industrial products for detailed study with a view to

<sup>1</sup> *Official Journal*, VIII, p. 1165; IX, p. 512.

<sup>2</sup> See p. 52.

devising practical suggestions for a concerted reduction of tariffs on them. The products selected are aluminium, semi-manufactured iron products, cement, leather, log and sawn wood, cellulose and paper, fresh fruits and vegetables, rice.<sup>1</sup>

Administrative protectionism, the habit of national customs officials to bar goods by special rulings, is under study.

### *Import and Export Prohibitions and Restrictions*

This question was studied by the Economic Committee as a result of a resolution passed by the Fifth Assembly on September 25, 1924, and culminated in a diplomatic conference of 34 states held at Geneva, October 17–November 8, 1927,<sup>2</sup> and another of 29 states July 3–11, 1928, to complete the convention. The conference disclosed the extreme complexity of the problem, showed that the system had taken deep root in commercial policy, and that its abolition would affect numerous private enterprises. It also revealed the interdependence of certain prohibitions and the effect of prohibitions in one state upon the régime in force in other states for similar or other wares. The conference thus had to deal with concrete problems affecting enormous interests. The convention is the first multilateral treaty regulating commercial relations between states.

The supplementary agreement<sup>3</sup> of July 11, 1928, completed the lists of prohibitions temporarily recognized and of those not affecting international trade.<sup>4</sup> Six months after the convention is in force all other prohibitions cease.

By the supplementary agreement the convention must be ratified by 18 states to come into force. The parties

<sup>1</sup> Economic Committee. *Report . . . on the 25th Session*, p. 2 (C. 558, M. 177. 1928. II. 48).

<sup>2</sup> *Official Journal*, VIII, p. 1653.

<sup>3</sup> *Official Journal*, IX, p. 1256. It was signed by Germany, Austria, Belgium, Great Britain, Italy, Denmark, Egypt, Estonia, Finland, France, Hungary, India, Italy, Japan, Latvia, Luxemburg, Norway, the Netherlands, Poland, Portugal, Rumania, the Serb-Croat-Slovene State, Siam, Sweden, Switzerland, Czechoslovakia, Turkey and the United States.

<sup>4</sup> The lists are conveniently summarized in *Monthly Summary*, VIII, p. 203.

may make entry into force dependent upon the ratification or accession of one or more of the following: Austria, Czechoslovakia, France, Germany, Great Britain, Hungary, Italy, Japan, Serb-Croat-Slovene State, Poland, Rumania, Switzerland, Turkey, and the United States. Ratifications should be deposited before September 30, 1929, an exception being made for the United States. If the requisite conditions are then fulfilled, the convention will enter into force on January 1, 1930.

**Hides and Bones.** The 1927 conference showed that special tariff conditions existed respecting hides and bones, the sources of leather, fertilizers, glue and other manufactured articles. Two Conferences for the Abolition of Export Prohibitions and Restrictions on Hides and Bones were held at Geneva March 14-16, and June 28-30, 1928, the first attended by 12, and the second by 19 states. They were the first meetings summoned by the League specifically to limit customs tariffs on raw materials. The first conference adopted two protocols which were recommended to Governments; the second revised and enacted these into international agreements<sup>1</sup> supplementary to the convention of November 8, 1927.

**Veterinary Questions.** The 1927 conference in its final act recognized that sanitary or veterinary measures might legitimately be applied, but endeavored to prevent such measures from becoming a disguised form of economic protection. For this reason it recommended the Council to undertake investigations, inquiries and consultations with a view to summoning one or more conferences of experts to study measures of proved efficacy in animal and plant disease and how to adjust them strictly to risks of infection. A Subcommittee of Experts on Veterinary Questions met twice in 1928 and, as immediate steps, advised that each state should possess a veterinary organization capable of exercising efficacious sanitary supervision over the whole

<sup>1</sup>*Official Journal*, IX, p. 1289 and 1307. They were each signed by Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Hungary, Italy, Luxemburg, Netherlands, Norway, Poland, Rumania, the Serb-Croat-Slovene State and Switzerland.

of its territory and that each should publish a regular health bulletin prepared on the standard lines adopted by the Committee of the International Office for Contagious Diseases of Animals. It will examine the import and export of animals, trade in their products and disinfection to do away with "veiled protectionism."

*Simplification of Customs Formalities*

The conference prepared by the Economic Committee was held at Geneva, October 15–November 3, 1923, with 35 states participating.

The international convention<sup>1</sup> relating to the simplification of customs formalities signed at Geneva, November 3, 1923, came into force on November 27, 1924. The contracting states "undertake that their commercial relations shall not be hindered by excessive, unnecessary or arbitrary customs or other similar formalities." They undertake to revise their laws with a view to their simplification and adaptation to the needs of foreign trade and to the avoidance of all hindrance to such trade "except that which is absolutely necessary in order to safeguard the essential interests of the state." With respect to customs and the formalities of trade, they agree to abstain from any unjust discrimination against the commerce of any contracting state, in accordance with legislation or reciprocal commercial agreements. Rules for simplifying formalities with respect to import and export prohibitions and restrictions are laid down.

The prompt publication of customs regulations is stipulated and provision for their being brought to the adequate notice of those concerned is made. The publication of complete tariffs is enjoined, together with the desirability of stating duties in clear and unequivocal forms. All publica-

<sup>1</sup> *Treaty Series*, XXX, p. 371. Ratifications: Australia, Austria, Belgium, British Empire, Bulgaria, China, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, Italy, Luxemburg, French protectorate of Morocco, the Netherlands (including Netherlands Indies, Surinam and Curaçao), New Zealand, Norway, Rumania, Siam, Sweden, Switzerland, Regence of Tunis, Union of South Africa. Accession: Persia.

tions respecting customs and formalities connected with them shall be communicated to all contracting states, to the Secretariat of the League and to the International Office for the Publication of Customs Tariffs at Brussels.

States undertake to prevent arbitrary or unjust application of their laws and to insure means of redress for those prejudiced by abuses. Goods which form the subject of a dispute shall be released immediately upon the solution of the dispute, which must be as speedy as possible. Annual reports<sup>1</sup> of measures taken in accordance with these undertakings shall be summarized for the Secretariat of the League.

Provisions for the free importation of commercial samples and to facilitate the work of traveling salesmen are given in Art. 10.

Special regulations are laid down to insure the rapid passage of goods through the customs,<sup>2</sup> the examination of travelers' baggage, the treatment of goods in warehouses, warehousing charges for goods shown on manifests but not landed, and the cooperation of the customs offices concerned. Especially favorable treatment is stipulated for goods which are to undergo a manufacturing process, for articles intended for purposes of exhibition and for goods to be returned, such as touring vehicles, furniture vans, samples, etc.

### *Arbitration of Commercial Disputes*

The principle of the arbitration of commercial disputes, resulting from international trade, by chambers of commerce and business men themselves resident abroad has gained great popularity since the World War. The recognition of the validity of these decisions in courts and otherwise required international action. As a consequence the Economic Committee drew up a protocol.

<sup>1</sup> These are being communicated regularly (*Official Journal*, VII, p. 831, 844; VIII, p. 636, 1614; IX, p. 343, 733, 834).

<sup>2</sup> The Economic Committee is perfecting a draft convention on false customs declarations (*Official Journal*, VI, p. 955; VIII, p. 571).

This protocol on arbitration clauses<sup>1</sup> was perfected by the Fourth Assembly and opened for signature September 24, 1923. It came into force July 28, 1924. For disputes considered as commercial under their national law, the contracting states recognize the validity of agreements between persons, subject to different national jurisdictions, to arbitrate commercial disputes arising from their contracts, wherever the arbitration is to take place. The tribunals of the contractants will honor awards so made.

Under the terms of the protocol the contracting parties undertake to recognize the validity of arbitration agreements, but insure only the execution of arbitral awards pronounced in their own territory. In many countries long and costly proceedings are essential to carry out an award given in the territory of another contracting party. The Economic Committee, therefore, considered fresh international action to enable traders to resort to arbitration with full security. A Committee of Experts prepared a draft which was perfected as a convention<sup>2</sup> by the Eighth Assembly and opened for signature on September 26, 1927. The convention<sup>2</sup> on the execution of foreign arbitral awards is a technical document intended to adjust the validity of such awards to the procedure of national courts.

### *Unfair Competition*

The attention of the Assemblies of 1922 and 1923 was drawn to "the harmful effect on legitimate trade of the manufacture and sale of products which . . . are a form of fraud owing to the various devices intended to disguise their real nature."<sup>3</sup> The result was a series of draft articles which, after consultation with the Inter-American High

<sup>1</sup> *Treaty Series*, XXVII, p. 157 Ratifications: Albania, Austria, Belgium, British Empire, Denmark, Finland, France, Germany, Greece, Italy, Japan, Monaco, the Netherlands (including Netherlands Indies, Surinam and Curaçao), New Zealand, Norway, Rumania, Spain, Switzerland. Accessions: Southern Rhodesia, Newfoundland, British Guiana, British Honduras, Jamaica, Leeward Islands, Grenada, St. Lucia, St. Vincent, Gambia, Gold Coast, Kenya, Zanzibar, Northern Rhodesia, Ceylon, Mauritius, Gibraltar, Malta, Falkland Islands, Iraq and Palestine, Tanganyika, St. Helena.

<sup>2</sup> For text see Document C. 659. M. 1928. II. 1.

<sup>3</sup> *Official Journal*, V, p. 558; for data collected see p. 1474, 1485.



Commission, were incorporated in the International Convention for the Protection of Industrial Property revised at a conference at The Hague November 6, 1925.<sup>1</sup>

By these changes states agree to cancel the national registration by another person of trademarks, etc., owned by the nationals of another state, in case of bad faith. They undertake to insure nationals of other states against unfair competition, defined as "any act contrary to honest industrial or commercial practices."

### *Unification of Economic Statistics*

A joint meeting was held in London on December 4-5, 1922, of representatives of the Economic Committee, the International Labor Office and the International Institute of Statistics, to discuss what practical measures might be adopted to increase the comparability of methods in use in different countries in the compilation of economic statistics.

The Preparatory Committee on Statistical Methodology<sup>2</sup> carried on the work in conjunction with the International Institute of Statistics. In 1927 the Economic Committee named a Preparatory Committee for the Statistical Conference. The International Conference for the Unification of Economic Statistics convened at Geneva November 26, 1928, attended by delegates of 41 states to consider (1) the scope of economic statistics, that is to say, the field of economic activity which national statistics should normally embrace, and (2) methods to be adopted by Governments with a view to the comparability of industrial and commercial statistics.

### *Future Conferences*

**Treatment of Foreign Nationals.** The attention of the Economic Committee was called to the treatment of foreign nationals and enterprises by a resolution of the Fourth Assembly in 1923. In May, 1925, the committee reported to the Council that, in general, persons exercising a profes-

<sup>1</sup> The added articles are Arts. 6 *bis*, 6 *ter*, 10 *bis* and 10 *ter*.

<sup>2</sup> *Official Journal*, IV, p. 275, 966; V, p. 555; VIII, p. 396.

sion or trade in a foreign country should receive the same treatment as nationals of that country, subject or not to reciprocity in their countries. The number of professions, industries and occupations for which national interests may require restrictions to be imposed on foreigners should be limited to the minimum compatible with the protection of such interests; the same rule should apply to restrictions. Discrimination based on the nationality of persons concerned should be avoided.<sup>1</sup>

A questionnaire to states enabled the committee to prepare a draft convention, which after study by Governments, is to be laid before a conference in 1929.

**Bills of Exchange and Checks.** A Committee of Experts at Geneva in December, 1926, reported to the Economic Committee that solution of the difficulties encountered by bankers and merchants in daily business as a result of the divergences between the laws of different countries on bills of exchange lay first in an attempt to assimilate or harmonize the laws of countries belonging to the Continental group.<sup>2</sup> A Committee of Legal Experts then developed draft conventions aimed at harmonizing the various laws of the continental group on bills of exchange and checks. Replies from Governments have been sent in and a conference is planned in 1929.

**Tariff Nomenclature.** The Economic conference stated that a fixed nomenclature for goods subject to customs duties was an essential condition of equity in their application and ease in their collection, and recommended that the Council take the initiative in drawing up an appropriate procedure for establishing a systematic customs nomenclature in accordance with a general plan covering all classes of goods. In July, 1927, the Economic Committee decided to appoint a committee of customs experts to study the matter. International conferences to study the question in 1900 at Paris and at Brussels in 1913 had dispersed after finding it practically impossible to make even

<sup>1</sup> *Official Journal*, VI, p. 955, 878.

<sup>2</sup> *Ibid*, VIII, p. 575, 583.

a beginning. In October, 1928, the Subcommittee of Experts on the Unification of Tariff Nomenclature had decided on a draft framework and, after hearing, from Governments upon it, was ready to prepare a draft standard nomenclature for eventual consideration by a conference. This will facilitate tariff agreements and increase the efficacy of the most-favored-nation clause.

### FINANCIAL COMMITTEE

The Financial Committee has been the medium through which the League has contributed to the reconstruction of Europe. By common consent the aid of the League saved Austria and Hungary from disaster and anarchy and restored them to their places in the world with their autonomy intact. In the past such crises frequently resulted in the loss of autonomy or even independence.

While the League has undertaken many other activities of a financial character the work of the committee concentrated in loans for reconstruction or internal reform constitutes the largest single phase of its efforts. All these have involved some degree of League control or management. The loans are all international, that is, floated on several markets. The list follows:

Country	Protocol	Amount	Rate
AUSTRIA	Oct. 4, 1922	585,000,000 gold crowns . . .	7
HUNGARY	Mar. 14, 1924	250,000,000 gold crowns . . .	7½
GREECE	Sept. 19, 1924	£10,000,000 . . .	7
DANZIG	Feb. 19, 1925	40,000,000 gulden . . .	7
BULGARIA	Sept. 8, 1926	{ £2,112,000 } { \$3,915,000 } . . . . .	7
ESTONIA	Dec. 10, 1926	{ £700,000 } { \$4,000,000 } . . . . .	7
DANZIG, MUNICIPALITY	June 22, 1927	£1,900,000 . . . . .	6½
DANZIG HAR- BOR BOARD	July 1927	\$4,500,000 . . . . .	6½
BULGARIA	Sept. 12, 1927	\$13,000,000 . . . . .	7½
GREECE	Sept. 15, 1927	{ £4,070,960 <sup>1</sup> } { \$17,000,000 } . . . . .	6

<sup>1</sup> \$19,811,327.

*Financial Reconstruction*

**Austria.** In March, 1921, Great Britain, France, Italy and Japan decided to release Austria for a period of years from their liens in respect of all claims for relief credits, reparation, etc., provided other interested Governments did the same and provided Austria was prepared to place the administration of her assets in the hands of the League under the international credits (Ter Meulen) scheme.<sup>1</sup> The Financial Committee drew up a detailed scheme, which failed to be put into operation because of the slowness of interested Governments, especially the United States, to grant Austria the necessary moratorium.<sup>2</sup>

By February, 1922, Austria's condition had become so grave that a collapse was imminent. Great Britain, France, Italy and Czechoslovakia came to the rescue by providing public loans, which arrested disaster during the first six months of 1922. Austria's financial disorganization continued at an increased pace.

In August, when the crown was one-tenth of its value six months before and only 1/15,000 of its gold value, the Austrian Government made a desperate appeal to the Supreme Council of the Allied Premiers, then meeting in London. A further depreciation of the crown, said the Austrian spokesman, must lead to social upheavals of great danger to Europe itself, marking the end of an independent Austria. On August 15, 1922, the Supreme Council told Austria that "there is no prospect of further financial assistance to Austria from the Allied Powers, unless the League were able to propose such a program of reconstruction . . . as would induce financiers in our respective countries to come to the rescue of Austria."

The Council at Geneva on August 31 instructed the Financial Committee to examine the problem in its essentials. On September 6, Premier Seipel of Austria was heard by the Council in public meeting. He put Austria's fate

<sup>1</sup> *International Financial Conference*, 1920, I, p. 27.

<sup>2</sup> See *The Financial Reconstruction of Austria* (Geneva, 1921) for the documents.

completely into the hands of the League. The Council invited Czechoslovakia to join the Council for this question, and a committee consisting of Lord Balfour (Great Britain), Gabriel Hanotaux (France), Marquis Imperiali (Italy), Premier Beneš (Czechoslovakia) and Premier Seipel (Austria) was formed to direct the solution of the problem.

This committee organized the work, using the League's Economic, Financial and Legal Committees, but keeping in its own hands the political aspects of the question. In 12 meetings the committee determined the general outline of the task, parceled its details out to the experts, heard their interim and final reports and finally saw the three protocols effecting a solution of the question signed on October 4.<sup>1</sup> The two multilateral protocols were signed by Great Britain, France, Italy, Czechoslovakia and Austria; Belgium, Denmark, Netherlands, Spain and Sweden adhered to the second.<sup>2</sup>

The guarantors promised to respect the political independence, territorial integrity and sovereignty of Austria, to seek no special or exclusive economic or financial advantage compromising that independence, and to comply with the decisions of the Council in respect to any question arising with regard to those matters. The program of reform was directed to the balancing of her budget by the end of 1924. The deficit in the interval, a maximum of 650,000,000 gold crowns, was to be met by proceeds from a loan. This was guaranteed by Austrian assets, and further by the guarantor Governments in definite proportions, so that the subscriber to the loan has a double security, while the guarantor has no liability until Austrian assets prove insufficient. A Bank of Issue under definite and specified conditions was established on January 2, 1923, and Austria relinquished to it all rights with respect to currency utterance. A long program of Austrian reforms was carried out under a commissioner-general, an officer of the League of Nations resident in Vienna and reporting monthly to

<sup>1</sup> *Treaty Series*, XII, p. 385.

<sup>2</sup> *Ibid.*, XV, p. 321.

the Council. A Committee of Control of the Guaranteeing Governments was provided to watch over their special interests.<sup>1</sup>

The essential features of the program were the provision by loan to meet the deficit during a period when financial reform was taking place, the arrest of the collapse of the crown, and the supervision of the Austrian Government's execution of the scheme within carefully defined and restricted limits by the Commissioner-General of the League, whose monthly reports for 3½ years give all necessary details.<sup>2</sup> The Commissioner-General's functions terminated on June 30, 1926. The period from the signing of the protocols until that date may be summarized:

1. October 4–December 14, 1922 — Preparation for putting the scheme into execution.

2. December 15, 1922–August, 1923 — From the beginning of the Commissioner-General's control to the successful issue of a long-term reconstruction loan. The scheme of control was successfully established, reforms were begun, a series of special inquiries made, and the necessary external loan definitely obtained. The period was characterized by a remarkable financial recovery leading to a boom and excessive stock exchange speculation.

3. September, 1923–September, 1924 — Reconstruction work proceeded more slowly with modifications in the original plan. An agreement was effected in September, 1924, by which Austria pledged itself to take 15 specified measures, several of which related to financial re-establishment on a gold basis, and to execute specified reforms.<sup>3</sup>

4. September, 1924–June, 1926 — The reforms were gradually effected. The process of establishing Austrian currency on a gold basis was completed on July 1, 1925, the Austrian crown having been absolutely stable since October, 1922. The unit of stabilization was the schilling, containing 0.2117208 grams of gold, 900 fine, being equivalent to 10,000 paper crowns and worth 14⅓ cents, or 34.585 to the pound sterling. General anxiety as to the economic future of the country led to a special inquiry by Walter T.

<sup>1</sup> *Treaty Series*, XV, p. 321.

<sup>2</sup> The reports are printed separately and also in the *Official Journal*.

<sup>3</sup> Text, *Official Journal*, V, p. 1557.

Layton and Charles Rist, who made a report to the Council.<sup>1</sup> In September, 1925, a modified control was introduced contemplating a gradual relaxation by stages.<sup>2</sup> By June 30, 1926, the final conditions for the complete removal of the control were carried out and the Commissioner-General's services were terminated.

The last formal chapter in this "great act of international cooperation" was the session of the Council on June 9, 1926.<sup>3</sup> The Financial Committee reported Austria's house in order. The commissioner-general testified that Austria had so far recovered from her desperate condition of a few years ago that she was leading a normal life and was in a better financial position than many other countries.

*Present Régime.* The protocols of October 4, 1922, remain in force so that, while Austria is financially autonomous, the country has special international duties of a financial character. By Protocol No. III, par. 5, security for the international loan of June, 1923, is the gross receipts of the customs and of the tobacco monopoly. Protocol No. II establishes a Committee of Control in charge of these revenues. The Committee of Control, which consists of appointees of the guaranteeing governments, retains its powers under the protocols and communicates directly with the Austrian Government. The special account into which the yield of the gross revenues designed as security continue to be paid remains under the management of the trustees, who draw from it the sums required for the service of the loan, placing the balance at the disposal of Austria. The trustees in this duty succeed the commissioner-general. The trustees are represented at meetings of the Committee of Control and furnish to it information requested. The Austrian Government undertakes to furnish information required.

The total yield of the international loan was 879,800,000

<sup>1</sup> *The Economic Situation of Austria. Report . . .* by W. T. Layton and Charles Rist (C. 440 (I). M. 162 (I). 1925. II).

<sup>2</sup> *Financial Reconstruction of Austria. Dates and Conditions of Termination of Control* (C. 541. 1925. II).

<sup>3</sup> *Official Journal*, VII, p. 860. The proceedings of that meeting were notable and very impressive.

schillings. Of this amount 342,540,000 schillings were used for deficits, repayments and loan service and 332,500,000 schillings as cover for investment expenditures, leaving 217,600,000 schillings available at the end of control for allocation for productive expenditure.

**Hungary.** At the beginning of 1923, Hungary, in a desire to raise foreign loans on the security of certain revenues, approached the Reparation Commission in order to secure the necessary release of liens on certain of her assets and revenues, and at the same time expressed the desire that the League of Nations be asked to draw up a plan of financial reconstruction. On September 29, Rumania, the Serb-Croat-Slovene State and Czechoslovakia requested the Council of the League to authorize the Financial Committee to undertake at once any preparatory work necessary for the reconstruction of Hungary in the event of such a request from the Reparation Commission. The Reparation Commission on October 17 passed the necessary resolution.

The first stage of the League's work was completed by the Council in December, 1923. The Financial Committee had agreed upon the main lines of the scheme for financial reconstruction and its unanimous report was then accepted by the Council, which also approved the text of two protocols, along the same lines as the Austrian protocols, presented by its Hungarian committee.

By Protocol<sup>1</sup> No. 1 of March 14, 1924, the guaranteeing Governments declare "that they will respect the political independence, the territorial integrity and the sovereignty of Hungary" and "that they will not seek to obtain any special or exclusive economic or financial advantage calculated directly or indirectly to compromise that independence." The guarantors pledge loyal fulfillment of the agreements and to leave any questions at issue to the Council of the League. Hungary, for its part, undertakes to fulfill its treaty obligations and to abstain

<sup>1</sup> *Treaty Series*, XXV, p. 423-440.



from any act likely to prove prejudicial to the guaranties provided.

Protocol No. 2 sets forth in detail the program of reform, pledges Hungary to the conclusion of commercial agreements with neighboring states and lays down the conditions for the reconstruction loan, the duties of the commissioner-general, the committee of control and the trustees, provides for the assignment of revenues for the service of the loan and for keeping a special account, as well as for the establishment of a central bank of issue.

Jeremiah Smith, Jr., of Boston, Commissioner-General of the League of Nations for Hungary, assumed his duties on May 1, 1924. The foreign loan of 250,000,000 gold crowns was placed in June on the American, Italian, Swiss, Swedish, Dutch, Czechoslovak and Hungarian markets. The new bank of issue opened on June 24. The reconstruction schedule contemplated balancing the budget by June 30, 1926, but it showed a surplus after October, 1924, and was balanced a year and a half earlier than the schedule.

On June 10, 1926, the Council decided to suppress the office of commissioner-general at the end of that month. Controls similar to those applied in Austria entered into force.<sup>1</sup> As in Austria the currency had been absolutely stable and on January 1, 1927, a new currency was introduced, the pengő, equivalent to 12,500 old paper crowns, \$0.1749 and 5.7176 to the dollar. The balance sheet of the National Bank was already expressed in pengős, with reserve amounting to 55% of note circulation as against a required 20%. On June 30, 1926, the reconstruction loan was valued at 266,884,211.63 gold crowns, of which there was a balance available of 119,459,845.14 for productive expenditure with the assent of the Council.

**Refugee Settlement.** The Greek refugee settlement loan under the protocol of September 19, 1924, amounting to £10,000,000 was floated in December, 1924.<sup>2</sup> The Bulgarian refugee settlement loan under the protocol of Sep-

<sup>1</sup> *Official Journal*, VII, p. 876.

<sup>2</sup> See p. 146.

tember 8, 1926, was issued in London and New York on December 21, 1926.<sup>1</sup>

**Danzig.** Three loans have been issued by the Free City under League auspices. The municipal loan of 1925 was virtually a private transaction but the banks inserted in the general bond provisions which required the assent of the Council.<sup>2</sup> By these the trustee may draw the attention of the Council to any breach by the municipality of the terms of the general bond. The Council may be called upon to settle disputes between the municipality, the financial institutions in charge of the loan and the trustee. The Free City may appeal to the Council if it considers that the trustee has abused his authority. The program of expenditure was subject to Council approval.

The two Danzig loans of 1927 differed in character. That of the Harbor Board was for productive purposes and the stipulation of the Council<sup>3</sup> was that it be issued after the municipal loan. The money required by the city was not for productive purposes, but 45% of it was to meet obligations arising out of the treaty of Versailles and the occupation of 1920. Special regulations for protection of a loan secured on the tobacco monopoly were worked out and the Council appoints the trustee, who annually reports to it.

**Bulgarian Stabilization.** On March 10, 1928, the Council approved the final plan for the Bulgarian stabilization loan of £5,000,000 which had been drawn up by the Financial Committee in agreement with the Bulgarian Government. The protocols were finally signed on September 8, 1928.<sup>4</sup> The loan is to be devoted to the repayment of the state debt to the National Bank in connection with the stabilization of the currency, to strengthening the position of the Agricultural Bank and the Central Cooperative Bank, the liquidation of budget arrears, the construction of roads and railways, and work in connection with the damage

<sup>1</sup> See p. 149.

<sup>2</sup> *Official Journal*, VI, p. 887, 967.

<sup>3</sup> *Ibid.*, VIII, p. 806.

<sup>4</sup> *Bulgarian Stabilization Loan. Protocol and Annexes* . . . (C. 338. M. 96. 1928. II. 32).

caused by earthquakes during the spring of 1928. The 7½% loan was issued November 21, 1928, at 97. The scheme in its general lines resembles that of the Greek stabilization loan. The Bulgarian Government undertakes to safeguard the independence of the National Bank from any political influence by the appointment by the Council of a technical adviser.

**Greek Stabilization and Refugees.** The exhaustion of the loan for refugee settlement work and the state of its currency caused Greece to raise the question of a loan for £9,000,000, one-third to be devoted to completing the refugee settlement program, one-third for budget arrears and one-third for the new bank of issue. Greek finances were in a complicated state, one outstanding question being with the United States. During the war, the United States Treasury extended to the Greek Government a credit which had not been exhausted. When the United States brought this indebtedness to its attention, the Greek Government stated that refunding was not due until the entire credit was turned over. Negotiations resulted in a United States Treasury agreement to advance the Greek Government, as part of an agreement refunding the total indebtedness, the sum of \$12,167,000 at 4%, redeemable in 20 years. A bill to that effect was introduced into Congress. This American agreement accounts for £2,500,000 of the required amount, and in its technical aspects has the same securities as the loan issued under the auspices of the League. The loan protocol for the remaining £6,500,000 was signed at Geneva September 15, 1927,<sup>1</sup> and the loan issued in London, New York, Rome, Stockholm and Zurich in sterling and dollar bonds at 91, with 6%, on January 31, 1928. By the terms of the protocol the Greek minister of finance makes a semi-annual report to the League.<sup>2</sup> Greek currency was stabilized on a gold basis at 375 drachma to the pound sterling on May 14, 1928, on which date the new bank of issue was opened.

<sup>1</sup> *Greek Stabilisation and Refugee Loan. Protocol and Annexes* (C. 556. M. 198. 1927. II. 74).

<sup>2</sup> *Official Journal*, IX, p. 488, 1034, 1707.

Estonia. The Estonian Government in September, 1924, requested the League to send experts to study the economic and financial crisis in that country. The report recommended that the bank of Estonia should be made completely independent of the state and reorganized on the principles adopted for the banks of issue for Austria, Hungary and Danzig and that a mortgage institute be created to take over all Government long-term loan operations. These recommendations were accepted and a scheme of reform involving an international loan of £1,350,000 was arranged. The protocol signed December 10, 1926, provides for the appointment by the Council of a loan trustee and for a foreign adviser to the Estonian bank of issue.<sup>1</sup> The loan was issued in June, 1927.

### *Counterfeiting of Currency*

The question of forged currency was discussed by the Council on June 10, 1926, as a result of a communication from the French Government. In this letter,<sup>2</sup> M. Briand drew attention to numerous cases in which the national currency of various countries had been forged. In his opinion, such forgeries were not only an attack upon the financial strength of the country whose currency was counterfeited; they might also, as a direct consequence, disturb international public order.

The Financial Committee, to which the question was referred, sent a questionnaire to 43 banks of issue, of which 20 replied in detail. An international convention was generally favored in order to homologate legislative measures and cooperation between the judicial and police authorities. The Mixed Committee authorized by the Council on December 10 was made up of four delegates of banks of issue, four specialists in international criminal law and three prosecution authorities, the latter two groups nomi-

<sup>1</sup> *Banking and Currency Reform in Estonia, Protocol* (C. 227. M. 89. 1927. II. 45), *Treaty Series*, LXII, p. 277.

<sup>2</sup> *Official Journal*, VII, p. 950.

nated by seven Governments. The draft convention<sup>1</sup> and report were circulated to Governments for consideration on December 6, 1927,<sup>2</sup> and the conference to prepare it for signing is set for opening at Geneva on April 9, 1929.

*Mixed Greco-Bulgarian Emigration Commission*

The operation of the convention of November 27, 1919, for reciprocal emigration between Bulgaria and Greece has from the beginning been managed by a commission appointed by the Council of the League.<sup>3</sup> The extensive interchange of population resulted in financial arrangements for the liquidation of properties abandoned by Bulgarians or Greeks who had elected to take up residence in the country of their nationality. A plan of payment for the properties involved was adopted on December 8, 1922, and its liquidation has been effected through Greek and Bulgarian 6% loans, the final certificates of which were due for amortization as from January 1, 1925. Documents presented to the Council on September 3, 1927, indicated that of a total of 40,000 claims presented by emigrants, the number of liquidations had risen to 10,600 and that the question of providing satisfactory security for the bonds given in liquidation to emigrants had definitely arisen.<sup>4</sup>

The problem was referred to the Financial Committee which worked out an agreement, signed at Geneva on December 9, 1927, by the representatives of Bulgaria and Greece and the president of the Mixed Commission.<sup>5</sup> By this arrangement, the provisional certificates are to be exchanged for final certificates and the funds resulting from the liquidation of properties — some \$35,000,000 — are to be deposited in the National Bank of Bulgaria and the

<sup>1</sup> *Report and Draft Convention*, p. 18 (C. 523 M. 181 1927. II. 70).

<sup>2</sup> *Official Journal*, IX, p. 121.

<sup>3</sup> See p. 171.

<sup>4</sup> *Official Journal*, VIII, p. 776, 885.

<sup>5</sup> Financial Committee. Report . . . of 29th Session, p. 5 (C. 643. M. 211. 1927. II. 75).

Greek Bank of Issue as sinking funds. Semi-annual drawings result in the owners of the liquidated properties recovering their money.

### *Central Bank Statistics*

At the suggestion of the Financial Committee, representatives of the Information and Statistical Services of 25 banks of issue met from April 11 to April 17, 1928, in Paris at the Banque de France. The banks represented were: The National Banks of Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, England, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Norway, Netherlands, Poland, Rumania, Serb-Croat-Slovene State, Spain, Sweden, and Switzerland, the Federal Reserve Bank of New York and the Federal Reserve Board.

The discussions were directed to the examination of the characteristic features of the different money markets, the volume of money and credit, clearing statistics, the velocity of circulation, indices of economic activity, the definition of the different rates of money and the manner in which these rates are quoted. In all these discussions the primary object was to find means of rendering monetary statistics more comparable and easy of interpretation, and how such information might be exchanged between banks.

### *Double Taxation*

The first step of the Financial Committee in solving the problem of double taxation was the appointment of a Committee of Economic Experts, who presented a comprehensive report on April 3, 1923,<sup>1</sup> in which was developed the full theory of this first "financial problem of universal importance"<sup>2</sup> to be handled by the League. The Financial Committee next organized a committee of government tax-

<sup>1</sup> League of Nations, E. F. S. 73/F. 19.

<sup>2</sup> Resolutions and Recommendations . . . Sixth Session (*Official Journal, Spec. Sup.* No. 32, p. 15).

ation officials<sup>1</sup> to study the subject from the administrative point of view and in relation to the problem of fiscal evasion.

In January, 1927, the result of this examination of the problem was studied by a committee of taxation experts,<sup>2</sup> designated by and acting for their Governments, who developed two draft conventions on double taxation and two others on fiscal evasion. The question was still so complicated that it was deemed advisable to summon in October, 1928,<sup>3</sup> a conference of fiscal experts, who revised the drafts before them with the intention of having them in shape to submit to a diplomatic conference for the perfection of conventions in 1929 or 1930.

## 2. Organization for Communications and Transit.

Art. 23 of the Covenant provides that, "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon the Members of the League: (e) will make provision to secure and maintain freedom of communication and of transit and equitable treatment for the commerce of all Members of the League."

On February 13, 1920, the Council proposed that the Committee of Ports, Waterways and Railways of the Peace Conference, together with representatives of states having special interest in the subject, undertake a preliminary survey of the problem involved in carrying out this provision. A conference was held for that purpose in the summer of 1920 at Paris and the committee transformed itself into a provisional committee on communications and transit of the League.

The proposals of the committee called for a general conference to prepare international agreements and recommendations suitable for embodiment in national laws, and draft resolutions to be submitted to the Assembly.

<sup>1</sup> League of Nations, C. 115. M. 55. 1925. II and C. 216. M. 85. 1927. II. 40.

<sup>2</sup> *Ibid.*, C. 216. M. 85. 1927. II. 40.

<sup>3</sup> *Ibid.*, C. 495. M. 197. 1928. II. 46.

It also recommended a permanent committee to sit continuously and act both as the bureau of the conferences and as a technical advisory body. These recommendations were approved by the Council and the First Assembly.

### CONFERENCES

The General Conference on Freedom of Communications and Transit is held at intervals of three years. Conferences have been held as follows:

1. Barcelona, March 10–April 20, 1921; 44 states represented.
2. Geneva, November 15–December, 1923, 41 states represented. The United States sent an “official observer.” Organizations represented in an advisory capacity were: International Chamber of Commerce, Central Railway Transport Office, the International Union of Railway Administration, the four International River Commissions for the Danube, the Elbe, the Oder and the Rhine, the Hydraulic Danube Commission, and the League's Advisory Committee for Communications and Transit.
3. Geneva, August 23–September 2, 1927; 41 states represented, including the United States and three other non-Members of the League. There were also present in an advisory capacity, besides representatives of the Saar Governing Commission, delegates from the following:

Members of the Advisory and Technical Committee for Communications and Transit, Experts appointed by the Advisory and Technical Committee for Communications and Transit, Permanent Technical Hydraulic System Commission of the Danube, International Elbe Commission, International Oder Commission, Central Commission for Rhine Navigation, International Railway Union, International Central Railway Transport Office, International Chamber of Commerce, International Shipping Conference, International Federation of Transport Workers, Christian Union of Transport Workers, International Labor Office, International Broadcasting Union, International Air Traffic Association, International Commission for Air Navigation, International Technical Committee of Legal Experts for Air Navigation.

### ADVISORY AND TECHNICAL COMMITTEE

The Advisory and Technical Committee on Communications and Transit was organized by the Barcelona Con-



ference in accordance with the resolution of the First Assembly. The committee is a consultative and technical body to assist the Council and the Assembly of the League in discharging its functions. It may arrange for any future conference and prepare its agenda; it exchanges all requisite information with the appropriate ministries of the Members of the League; it is intrusted with the investigation of any disputes which may be referred to the League under Arts. 336, 376 and 386 of the treaty of Versailles and corresponding articles in the other treaties of peace, and will endeavor to adjust such disputes whenever possible by conciliation between the parties; in the event of such disputes being brought before the Permanent Court of International Justice, the committee may be called upon to assist the Court.<sup>1</sup>

The committee is governmental, being composed of one representative for each Member of the League represented permanently on the Council, together with (now 13) Members appointed as determined by the conference, taking into account as far as possible technical interests and geographical representation. The total membership shall not exceed one-third of the Members of the League of Nations. The states represented have been:

1921	1924	1927
France	France	France
Great Britain	Great Britain	Germany
Italy	Italy	Great Britain
Japan	Japan	Italy
Belgium	Austria	Japan
Brazil	Belgium	Argentina
Chile	Chile	Austria
China	China	Colombia
Cuba	Colombia	Greece
Denmark	Cuba	Latvia
Estonia	Greece	Netherlands
Netherlands	Lithuania	Panama
Poland	Norway	Portugal
Spain	Poland	Salvador

<sup>1</sup> Conférence de Barcelone, *Comptes rendus et textes relatifs au Règlement d'organisation*. . . , p. 58-60.

1921	1924	1927
Switzerland	Rumania	Serb-Croat-Slovene
Uruguay	Salvador	State
	Spain	Siam
	Venezuela	Sweden
		Switzerland

The committee is engaged in one of the most technical fields with which the League concerns itself. As a consequence it divided into seven committees in 1922. To these have been added experts on specific subjects and a series of temporary committees has further been created.<sup>1</sup> The work engaging the attention of the committee is indicated by that of the committees. The committees maintain close touch with many technical international organizations, especially those dealing with air traffic.

The third conference made an exhaustive study of the collection and exchange of general information on communications and transit. The United States delegation took an active and important part in this work, the head of the delegation being chairman of the committee. The resolution consisted of a general decision and of detailed suggestions as to the kind of information which might be collected on ports and maritime navigation, inland navigation, railways, electric questions, road traffic and air navigation. This information should bear upon agreements between states, bills published, acts and regulations in preparation; it should further include general data as to work planned or proceeding, statistics, etc.<sup>2</sup>

#### CONFERENCE OF PRESS EXPERTS

The Conference of Press Experts met at Geneva August 24-29, 1927. It originated from a proposal submitted by the Chilean delegation to the Assembly of 1925. The conference was attended by 63 experts, 20 assessors and 35 technical advisers from 38 countries, members and non-

<sup>1</sup> For list see *Monthly Summary*, No. 1 of each year.

<sup>2</sup> *Third General Conference on Communications and Transit*, Vol. II, p. 52 (C. 558 (a). M. 200 (a). 1927. VIII. 15<sup>th</sup>).

Members of the League, representing not only the different continents, but also the various categories of press interests — newspaper proprietors, news agencies, press bureaus and journalists. Its debates resulted in the adoption of resolutions which cover a large part of the technical work of the press.<sup>1</sup>

The first series of these resolutions needed exhaustive technical study, and the Council requested the Secretary-General to ask the Organization for Communications and Transit to continue this technical study with the help of press associations interested in these questions.

As to customs regulations applicable to newspapers the Committee at its 12th session advised summoning a special conference of experts to submit to European Governments definite recommendations and decided to ask Governments levying special duties whether it was possible to abolish them. The Committee expected to have in hand before 1929 the opinion of Governments with regard to the transport of newspapers and periodicals by rail. Rates for air transport are being examined. Other questions under examination are the reduction of railroad tariffs, passport visas and identity cards. A Special Committee of Telegraphic and Press Experts in May, 1928, submitted recommendations to the Committee concerning priority for press telegrams and wireless messages, "urgent" press telegrams and wireless messages, long-distance telegraph and wireless communications, regional telegraphic agreements, telephone rates, the authorization to receive press messages by wireless, wireless rates, code telegrams, and the importance of telegraphic and wireless communications between different continents.

A second series of resolutions of the conference depends on the action of Governments for realization. The Council on December 7, 1927,<sup>2</sup> asked the Governments what action could be taken on the resolution respecting the protection of news:

<sup>1</sup> *Conference of Press Experts. . . . Final Resolutions . . .* (A. 43. 1927, 8).

<sup>2</sup> *Official Journal*, IX, p. 136.

The Conference of Press Experts lays down as a fundamental principle that the publication of a piece of news is legitimate subject to the condition that the news in question has reached the person who publishes it by regular and unobjectionable means, and not by an act of unfair competition. No one may acquire the right of suppressing news of public interest.

*a. Unpublished News.* The conference is of opinion that full protection should be granted to unpublished news or news in course of transmission or publication in those countries in which such protection does not already exist. . . .

There shall be no preferential right in official news issued by a Government or Government Department or by an official representing a Government or Government Department. All such news may be published without restriction in full or in part.

Newspapers, press agencies, press bureaus, and newspaper correspondents and representatives shall have free and equal opportunity of access to and transmission of such news.

*b. Published News.* In view of the widely differing conditions obtaining in various countries, the conference is of opinion that the question of the protection of published news, whether reproduced in the press or by broadcasting, is one for the decision of the respective Governments concerned, and recommends that any Governments to whom application in this respect is made by its country's press, should sympathetically consider the advisability of granting suitable protection. . . .

Governments were asked what action they intended to take on resolutions respecting professional facilities for journalists, including special resolutions on travel tours, schools for journalists, scholarships, double taxation of journalists living abroad, reductions of fares, equality of treatment for foreign journalists and facilities for inquiry afforded to foreign journalists.

The Council drew the special attention of Governments to the following passage in the resolution on censorship in peace time:

However, so long as, contrary to the principle of the liberty of the press, censorship still exists in any country, the conference asks for the following minimum guaranties:

1. That telegrams submitted to censorship should be examined by specialists and dispatched with the greatest promptitude possible.
2. That journalists should be informed of the instructions given to these specialists so as to enable them to make their own dispositions,

3. That they should be informed of the passages suppressed in their dispatches as well as of exceptional delays in their transmission, and that they should be given the option of sending or withholding telegrams which have been either censored or delayed.

4. That the transmission charges paid in advance for telegrams which have been either censored or delayed should be reimbursed in proportion to the number of words suppressed.

5. That a complete equality of treatment should be granted to all journalists without exception.

Lastly, the Council itself took note of the resolutions dealing with courses for journalists at Geneva, the establishment in newspapers of a special heading on the League of Nations, regional press understandings, and two others on the publication or distribution of tendencious news and on the press combating hatred between nationalities.

#### FREEDOM OF TRANSIT

The convention and statute on freedom of transit<sup>1</sup> signed at Barcelona, April 20, 1921, has been in force since October 31, 1922. The statute defines traffic in transit as persons, baggage and goods, as well as any means of transport, which is taken across the territory of a state on a complete journey which begins and terminates beyond the frontier of the state in question. The contracting states engage to facilitate such traffic and agree to make no distinction respecting it on the basis of "nationality of persons, the flag of vessels, the place of origin, departure, entry exit or destination, or any circumstances relating to the ownership of goods" or means of transport. Traffic shall not be subject to special duties on account of transit. Tariffs applicable to traffic in transit "shall be so fixed as to facilitate international traffic as much as possible" and

<sup>1</sup> *Treaty Series*, VII, p. 11, Ratifications: Albania, Austria, Belgium, British Empire (including Newfoundland), Bulgaria, Chile, Czechoslovakia, Denmark, Estonia, Finland, France, Greece, India, Italy, Japan, Latvia, Netherlands (including Netherlands Indies, Surinam and Curaçao), New Zealand, Norway, Poland, Rumania, Sweden, Switzerland. Accessions: Federated Malay States (Perak, Selangor, Negri Sembilan and Pahang), Non-Federated Malay States (Brunei, Johore, Kedah, Perlis, Kelantan and Trengganu), Palestine (British mandate), Free City of Danzig, Germany, Hungary, Peru, Siam. Subject to ratification: Peru.

are to be "reasonable as regards both their rates and the method of their application."

The statute does not bind contracting states to afford transit for passengers whose admission to its territories is forbidden or for goods whose importation is prohibited on grounds of public health or security or as a precaution against disease of animals or plants. The statute continues in force in time of war so far as the rights and duties of belligerents and neutrals permit. Deviations from its provisions are permissible in exceptional cases of "an emergency affecting the safety of the state or the vital interests of the country." It does not abrogate treaties in force with respect to transit or the withdrawal of facilities greater than those provided for.

**Passports and Identity Certificates.** The provisional committee convened at Paris on October 15-21, 1920, a Conference on Passports, Customs Formalities and Through Tickets. This conference was convinced "that the many difficulties affecting personal relations between the peoples of various countries constitute a serious obstacle to the resumption of normal intercourse and to the economic recovery of the world." The conference passed a series of resolutions<sup>1</sup> with the primary purpose of securing uniform practice in the various states. These proposals, which were of an administrative character, greatly simplified travel among the many states accepting them.

In the Second Passport Conference 38 Governments were represented at Geneva, May 12-18, 1926. The program was based on a resolution of the Sixth Assembly and in addition aimed to carry out resolutions of the 1924 Rome Emigration Conference. The conference adopted a series of recommendations aiming principally at technical improvements in passports of the international type and in methods of establishing passports; the prolongation of the duration of their validity, and its extension to all foreign countries, or to as large groups of countries as possible; the reduction of passport fees, which should in no case

<sup>1</sup> *Official Journal*, I, 8, p. 58.

exceed the expenditure entailed by their issue; and the simplification of frontier control.

The conference<sup>1</sup> was in favor of the total abolition of exit visas and recommended that the suppression of entrance and transit visas should be made as general as possible by means of interstate agreements. It also recommended that facilities should be granted to travelers, enabling them to break their journey in the countries through which they passed, more especially in ports of call, even though their passport should bear no transit visa; that visas should be valid for two years, or for a period equal to that of the validity of the passport, and that they should be good for an unlimited number of journeys and for all frontiers.

It was further recommended that the visa fee should not exceed:

- (1) 5 gold francs for entrance visas valid for a single journey;
- (2) 10 gold francs for entrance visas valid for several journeys;
- (3) 1 gold franc for transit visas of unlimited validity.

The conference considered that fees should not vary according to the nationality of the passport-holder, his itinerary, or the flag of the ship upon which he embarked. It recommended that the issue of passports, identity papers and visas should be organized so as to simplify formalities and to spare travelers and emigrants long and expensive journeys. Visas should be delivered within the shortest possible time. The conference recommended that frontier control should be carried out, whenever possible, when the trains were in motion; should this be impossible, during the stoppage of trains at one of the two frontier stations, and that police inspection by the two countries concerned should be effected simultaneously or follow rapidly upon one another. It drew attention to the fact that these improvements would be of little value unless agreements were

<sup>1</sup> See *Minutes of the Plenary Meetings* (1926. VIII. 4) and *Final Act* (1926. VIII. 2).

also concluded for the accomplishment of customs formalities in the same conditions.<sup>1</sup>

In connection with refugee problems, Fridtjof Nansen, the High Commissioner, inaugurated a system of identity certificates which has served a useful purpose for hundreds of thousands of Russian, Armenian and other refugees. At a small technical conference at Geneva on July 3-5, 1922, 16 governments agreed upon the form of a certificate of identity and rules for its issuance for the purpose of enabling Russian refugees both to remain in the countries where they found themselves and to travel.<sup>2</sup>

While this system worked well, the problem of identifying persons without nationality status continued. The Second Passport Conference in its final act, signed at Geneva on May 18, 1926, incorporated recommendations on this subject.<sup>3</sup> The complications of the problem resulted in summoning a committee of experts which held two sessions prior to the Third General Conference on Communications and Transit. The latter on September 2, 1927, adopted four recommendations<sup>4</sup> to establish an international system of identity and traveling documents for persons without nationality or of doubtful nationality.

### PORTS AND MARITIME NAVIGATION

The Permanent Committee for Ports and Maritime Navigation is a double one with specialist members for the two subjects.

The Committee for Ports has as its special concern the development of the régime laid down in the convention and statutes on international régime of maritime ports.

<sup>1</sup> Replies from Governments on the application of the recommendations are in *Official Journal*, IX, p. 1329, 1414.

<sup>2</sup> *Official Journal*, III, p. 927. The countries which adopted the above arrangement were Austria, Bolivia, Bulgaria, Chile, China, Denmark, Estonia, Finland, France, Germany, Great Britain, Greece, Guatemala, Hungary, Italy, Japan, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Rumania, Sweden, Switzerland, Union of South Africa, United States of Mexico.

<sup>3</sup> *Official Journal*, VII, p. 1095.

<sup>4</sup> *Ibid.*, VIII, p. 1611; for replies, IX, p. 1325, 1415.



The Committee for Maritime Navigation has given special attention to safety of life at sea, which was the subject of an international convention concluded at London in July, 1914, following the *Titanic* disaster, but which was not generally ratified. The international ice patrol of the North Atlantic was provided for by the convention, but has been conducted on the initiative of the United States alone in the interval. The committee, after extensive studies of the problem, with the aid of the International Hydrographic Bureau, brought the matter to a position where a conference to revise and complete the 1914 convention is scheduled for 1929.

A Technical Committee for Maritime Tonnage Measurement was set up in 1926 to bring into effect uniform practice. While the British regulations have been almost universally adopted, the application of them in different countries varies, and there are diverse methods of calculating gross and net tonnage.

A temporary Technical Committee on Buoyage and Lighting of Coasts has been developing methods to improve and unify such aids to navigation as lighthouse signals, buoyage regulations by day and by night, wireless or radio beacons and coast and port signals, including storm, ice, tide and high sea signals.

**Navigable Waterways.** The convention and statute on the régime of navigable waterways of international concern <sup>1</sup> signed at Barcelona April 20, 1921, has been in force from October 31, 1922. The statute defines such waterways as:

(1) "All parts, which are naturally navigable to and from the sea, of a waterway which in its course . . . separates or traverses different states," as well as waterways connecting therewith which separate or traverse different states.

(2) Natural or artificial waterways or parts thereof expressly placed under the régime of the general convention by treaty agreements. On the parts of such water-

<sup>1</sup> *Treaty Series*, VII, p. 35.

ways under their authority, the contracting states "accord free exercise of navigation to the vessels flying the flag of any one of the other contracting states."

(3) Navigable waterways which are, or may in the future be, controlled by international commissions on which nonriparian states are represented.

The nationals, property and flags of all contracting states shall be treated on a footing of perfect equality in all respects. No distinction shall be made respecting the nationals, property or flags of riparian and nonriparian states, and no exclusive rights of navigation shall be accorded.

Exceptions of a practical character are stipulated. No dues, other than those imposed in the interest of navigation, shall be levied anywhere on international waterways. The rules of the statute respecting freedom of transit apply to transit on international waterways.

In the ports on these waterways the nationals, property and flags of all contracting states enjoy a treatment equal to that accorded to the trade of the riparian state controlling the port. Riparian states are bound to refrain from all measures likely to prejudice the navigability of the waterway or to reduce the facilities for navigation. Equitable arrangements are made for the upkeep of works affecting navigability and for restrictions on navigation necessitated by local conditions. Allocation of expenses for the upkeep of facilities to navigation are provided for in detail. In this connection, treaties establishing international commissions are to be appropriately applied.

Riparian states may issue customs, police, sanitary and administrative regulations respecting their respective portions of the waterways, but the great desirability of agreement rendering them uniform is recognized. The statute continues in force in time of war so far as the rights and duties of belligerents and neutrals permit. It does not impose upon a contracting state "any obligation conflicting with its rights and duties as a Member of the League of Nations."

An additional protocol <sup>1</sup> accords equality of treatment for communication on all navigable waterways under national control for commerce not involving transshipment.

**Maritime Ports.** The convention and statute on the international régime of maritime ports <sup>2</sup> and the protocol of signature, signed at Geneva on December 9, 1923, entered into force on July 26, 1926. The statute defines maritime ports for its purposes as all those "which are normally frequented by seagoing vessels and used for foreign trade." Contracting states reciprocally grant equality of treatment with its own vessels as regards freedom of access to such ports, their use and the full enjoyment of the benefits as regards navigation and commercial operations which it affords to vessels, their cargoes and passengers. Equality of treatment covers facilities of all kinds such as allocation of berths, loading and unloading facilities and all dues and charges levied. Measures required for the proper conduct of the business of the port are fully within the jurisdiction of the competent authorities, provided they comply with the principle of equality of treatment. Dues and charges shall be of public record, and customs and other analogous duties are imposed without any distinction of flag. Unless special reasons justify an exception, customs duties in a maritime port may not exceed such duties levied on other frontiers.

The statute implies reciprocity, and contracting states reserve the power of suspending its benefits with reference to vessels of a contracting state which does not effectively apply its provisions. In case of dispute over such action, either state may refer the matter to the Permanent Court of International Justice for adjustment under summary procedure.

The statute does not apply to the maritime coasting trade, nor to fishing vessels or their catches. States reserve the right to make such towage arrangements as they see fit, to organize and administer pilotage services under

<sup>1</sup> *Treaty Series*, VII, p. 65.

<sup>2</sup> *Ibid.*, LVIII, p. 285.

their own rules, and to enact special legislation respecting the transport of emigrants. The statute applies both to publicly and privately controlled vessels, but not to warships or vessels performing police or administrative functions. Special treaty rights conferred upon a foreign state within a defined area of a maritime port for the purpose of facilitating transit are not to be regarded as inequality of treatment, but the benefiting state shall not acquire thereby advantages with respect to the treatment of the vessels of third states trading with the beneficiary.

Exceptions from the rules in case of an emergency affecting the safety of the state and the maintenance of prohibitions respecting the entrance of forbidden passengers and goods are set forth. The statute continues in force in time of war so far as belligerent and neutral rights and duties permit. Applicable provisions of the statute on the international régime of railways are incorporated in the agreement.

**Maritime Flag.** The declaration recognizing the right to a flag of states having no seacoast, signed at Barcelona, April 20, 1921, is very simple. The contracting states "recognize the flag flown by the vessels of any state having no seacoast which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels." <sup>1</sup>

#### INLAND NAVIGATION

The Permanent Committee for Inland Navigation began work in 1924. In 1922, the Advisory and Technical Committee passed a resolution asking the various European river commissions for suggestions respecting the measurements of tonnage for vessels employed in inland navigation. A convention of 1898 and a supplementary arrangement of 1908 were no longer entirely applicable. A Technical Committee produced a draft convention, and the Council convoked a conference in Paris, November 20-27, 1925, which drew up a convention.

<sup>1</sup> *Treaty Series*, VII, p. 73.

The reports made by Walker D. Hines on the Danube and Rhine discussed below called attention to the diversity of private law applicable to inland navigation. As a consequence, the Permanent Committee set up a Committee on Private Law in Inland Navigation, which has been collecting comprehensive information regarding such subjects as the nationality of vessels, ownership, mortgages and privileges, rules applying to collisions, contracts of employment and labor conditions.

In addition, this field of work called for the establishment of a Committee on Statistics of Inland Navigation, which was appointed by the Advisory Committee on July 1, 1924, and serves the whole field of the Permanent Committee.

**Danube and Rhine Inquiries.** A postwar difficulty was the dislocation of navigation on the Danube, partly owing to the redivision of its banks among several states and the new trade regulations which they had imposed. The Danube has been under international control since the establishment of the European Commission of the Danube in 1856. This commission has jurisdiction over the maritime Danube from Braïla to Sulina. In addition, the Danube International Commission has jurisdiction over the river upstream from Braïla. Together they are charged with keeping the channel clear and maintaining navigation facilities.

In 1920 the disuse of the river during the World War was found to have permitted the formation of shoals seriously interfering with navigation. At the instance of the Committee for Communications and Transit, Walker D. Hines, former director-general of the United States Railroad Administration and later arbitrator for questions raised in the peace treaties concerning tonnage distribution on European waterways, was appointed to investigate the problems involved. Major Brehon B. Somervell, Corps of Engineers, U. S. A., was appointed to assist him and conducted a preliminary investigation before Mr. Hines' arrival at Geneva in April, 1925.

The Hines report on Danube navigation <sup>1</sup> examined the conditions of traffic, the restrictions to international trade imposed by riverain states, the problems of maintaining navigation, the extent and mode of operation of the navigation companies, the complications of frontier formalities and the relation between Danube transportation and connecting systems. The extent of existing friction, the lack of capital and other conditions were carefully examined. The report afforded a sound analytical basis for improvement of conditions, which have since been studied.

Mr. Hines was also appointed to make a similar study of Rhine navigation,<sup>2</sup> that river being also international in character. He found that navigation conditions on the Rhine were principally due to the railway policy of riparian states and that the development of navigation was unfavorably influenced by the character of taxes and customs formalities. As in the case of the Danube, the analysis of conditions opened the way to their improvement.

**Vessel Measurement.** The convention regarding the measuring of vessels employed in inland navigation <sup>3</sup> and protocol of signature, signed at Paris November 27, 1925, entered into force from October 1, 1927.<sup>4</sup> A technical annex to this convention lays down in detail the rules for the measurement of vessels employed in inland navigation, including forms of certificate and distinguishing letters for vessels. Measurement certificates issued by the competent authorities of a contracting state under these regulations shall be acceptable to the authorities of other contracting states as equivalent to their own certificates. State regulations for the execution of the provisions of the convention shall be communicated to other contracting states three months before their application. Parties to the convention undertake to measure any vessel for which such a

<sup>1</sup> League of Nations, C. 444 (a). M. 164 (a). 1925. VIII.

<sup>2</sup> *Ibid.*, C. 444. M. 164. 1925. VIII.

<sup>3</sup> *Ibid.*, C. 107. M. 50. 1926. VIII 1. and C. L. 136. 1926. VIII. 11.

<sup>4</sup> *Treaty Series*, LXVII, p. 63. Ratifications: Austria, Belgium, British Empire (for Great Britain and Northern Ireland), Bulgaria, France, Germany, Hungary, the Netherlands, Rumania, Spain, Switzerland.

request is made. A measurement certificate is valid for ten years, and a demand for remeasurement may not be made within that time unless extensive repairs or alterations in the vessel have been made. Lists of vessels measured shall be communicated to all contracting states under such conditions, that all registration officers shall have up-to-date information. Notification of the loss of any vessel shall be made within three months of the establishment of that fact.

### TRANSPORT BY RAIL

The Permanent Committee for Transport by Rail began work with special reference to European problems already covered by international agreement. Transportation of merchandise by railroads was covered by a convention signed at Bern, October 14, 1890, with additions in 1893, 1895, 1898, and 1906; while on May 15, 1886, a convention regarding the sealing of railway trucks subject to customs inspection, and another regarding a technical standardization of railroads, were signed.<sup>1</sup> The subcommittee has secured more general acceptance of these conventions, and approved the principles agreed on at the Portorose Conference of Succession States November 23, 1921.<sup>2</sup>

In 1926, the committee gave attention to public railroad facilities for the League as a consequence of the possible need for rapid movement, to which attention was drawn in the Bulgaro-Greek frontier incident. Various suggestions were made, and it was especially noted that great improvement in railroad connections could be made.

The committee, while studying such questions as the nomenclature of railway tariffs, the unification of railroad statistics and of transport documents, has devoted its attention to the problems of combined transport since the entrance of the convention into force. It has set up a Committee on Combined Transport, a Subcommittee on Combined Transport between Railways and Waterways

<sup>1</sup> Denys P. Myers, *Manual of Collections of Treaties*, p. 499, 504.

<sup>2</sup> *International Conciliation*, Bulletin No. 176.

and another Subcommittee on Combined Transport between Railways and Air Navigation. In addition, there is a Committee on Competition between Railways and Waterways. All of these are studying the appropriate phases of facilitating through traffic, devoting their attention first to the unification of contracts for journeys over more than one type of transportation.

**Régime of Railways.** The convention and statute on the international régime of railways<sup>1</sup> and protocol of signature, signed at Geneva December 9, 1923, came into force on March 23, 1926. The statute, which constitutes the technical agreement, is divided into six parts devoted to the interchange of international traffic by rail, reciprocity in the use of rolling stock and its technical uniformity, relations between the railway and its users, tariffs, financial arrangements between railway administrations in the interest of international traffic and general regulations. The contracting states undertake to provide for a through service connecting the existing lines "wherever the needs of international traffic so require." In case existing connections are not sufficient the reinforcement of existing lines or the construction of new lines to effect junctions are to be arranged without delay. A system of common frontier stations is contemplated and mutual facilities at separate frontier stations are provided for. States undertake to give reasonable facilities to international traffic and to refrain from all discrimination of an unfair nature with regard to it. An obligation to improve time-table connections is recognized, and the states agree to encourage the establishment of through trains or through carriages. Customs, police and passport formalities shall be adjusted so as to create "the least possible hindrance and delay."

Shipment of baggage through customs under seal is

<sup>1</sup> *Treaty Series*, XLVII, p. 55. Ratifications Abyssinia, Austria, Belgium, British Empire, Denmark, Germany, India, Japan, Netherlands, New Zealand, Norway, Poland and Free City of Danzig, Rumania, Siam, Sweden, Switzerland. Accessions: Newfoundland, Southern Rhodesia, British Guiana, British Honduras, Brunei, Federated Malay States, Gambia, Gold Coast, Hong-Kong, Malay States (Unfederated), Nigeria, Northern Rhodesia, Nyasaland, Palestine, Sierra Leone, Straits Settlements, Tanganyika Territory. Subject to ratification: China, Colombia, Panama.



encouraged. Railway administrations are urged to enter into agreements to facilitate the exchange and reciprocal use of rolling stock on roads of the same gauge. With a view to facilitating such use, agreements for the technical uniformity of rail lines are to be made. (Many of these are in force.) Standardization in contiguous countries is especially urged.

Contracting states agree to facilitate agreements permitting the use of single contracts for international journeys over different lines and in different states. Conditions to be included in such contracts for both passengers and their baggage and for freight are set forth. A set of principles is laid down respecting railroad tariffs with a view to securing the greatest possible uniformity of rates, incidental charges and the conditions under which they shall be applied. International traffic tariffs are to be reasonable and not to discriminate unfairly against other contracting states, their nationals or their vessels; at the same time states retain full freedom to frame their tariffs under their national legislation.

The business arrangements between railway administrations are not to hamper the working of international traffic and the application of through ticket contracts. Direct financial relations between railroad administrations in such matters are provided for in detail.

General regulations permit deviation from the general principles in case of emergencies affecting the safety of the state, but only to the extent necessary under the circumstances. Contracting states are not obliged under the statute to insure the transport of passengers whose admission into its territories is forbidden or of goods against which importation restrictions run. Precautionary measures against dangerous freights are authorized. Discrimination under these heads is not permissible, but the transit, export or import of articles prohibited by general agreement such as opium, arms, etc., is excepted. The statute does not entail the withdrawal of facilities greater than those provided in it, nor any prohibition of granting

greater facilities in the future. It continues in force in time of war so far as belligerent and neutral rights and duties permit.

### ELECTRIC QUESTIONS

The Permanent Committee on Electric Questions early concerned itself with bringing international agreement respecting wireless communication up to date. The 1912 convention<sup>1</sup> no longer represented the adequate minimum of international agreement, and conferences held in Paris and Washington in 1920 had brought no agreement. A temporary Committee of Experts on Telegraphic Questions began meeting in London in July, 1923, to mature plans for "an international conference to deal with the general body of international radiotelegraphic problems."<sup>2</sup> By 1925, preparations were made for a telegraphic conference meeting in Paris, September 1, 1925, and a radiotelegraphic conference, which was convened in Washington in 1927.

The Permanent Committee has developed machinery for constituting an international center of information with a view to promoting interstate cooperation with respect to the development and the technical aspects of the transmission in transit of electric power and the development of hydraulic power in connection with the conventions dealing with those subjects.

The question of improvement of League telegraphic and telephonic communications in times of crisis has occupied the attention of the Committee since 1926.<sup>3</sup> Examination of the existing conditions, preparation of a list of communication routes, provision for special handling of messages directed to the League and other features of the problem have been extensively studied. A Committee of Experts in 1928 examined the technical aspects of constructing a League wireless station.<sup>4</sup> Switzerland has

<sup>1</sup> *Treaties, Conventions . . . between the United States and other powers*, III, p. 3048.

<sup>2</sup> *Official Journal*, IV, p. 682.

<sup>3</sup> League of Nations, C. C. T. 310. 1927. VIII. 6.

<sup>4</sup> *Ibid.*, C. 141. M. 32. 1928. VIII. 4.

taken an active part in this matter, which is to be the subject of a report to the 1929 Assembly.

**Transit of Power.** The convention relating to the transmission in transit of electric power,<sup>1</sup> signed at Geneva December 9, 1923, entered into force from July 26, 1926. Each contracting state undertakes, on the request of any other contracting state, to negotiate for agreements to insure the transmission in transit of electric power across its territory. If such an agreement should be seriously detrimental to the national economy or security, representations to such effect may be made to the applicant state. Such agreements may include the general conditions for the construction and upkeep of power transmission lines, equitable remuneration for the state across whose territory the transmission takes place, the methods for exercising technical control and securing public safety, the means to be used for communications in connection with the working of the power lines, and the procedure for settling disputes in regard to the interpretation and application of the agreements.

It is recognized that the construction of lines and installations ancillary thereto shall be subject to the legal and administrative provisions of the state in which they are erected. The convention does not oblige any state to exercise powers of expropriation. The convention continues in force in time of war so far as belligerent and neutral rights and duties permit.

**Hydraulic Power.** The convention relating to the development of hydraulic power<sup>2</sup> affecting more than one state and protocol of signature, signed at Geneva December 9, 1923, entered into force from June 30, 1925. "Within the limits of international law, this convention does not affect the right of each state to carry out on its own territory operations for the development of hydraulic power which it may consider desirable." However, should reasonable development of hydraulic power involve inter-

<sup>1</sup> *Treaty Series*, LVIII, p. 315.

<sup>2</sup> *Ibid.*, XXXVI, p. 75.

national investigation, the contracting states agree to a joint investigation to arrive at a solution most favorable to their interests as a whole and, if possible, to draw up an equitable scheme of development. Contracting states obligate themselves to enter into negotiations with a view to concluding agreements to allow for the development of hydraulic power partly on the territory of each of the contracting states concerned. If a hydraulic power development might cause serious prejudice to one state, the states concerned shall enter into negotiations calculated to allow such operations to be executed.

The agreements contemplated may provide for general conditions for the establishment, upkeep and operation of works, equitable contributions by the states concerned toward expenses, financial arrangements, methods for exercising technical control and for insuring security, public safety, protection of sites, regulation of the flow of water, protection of the interests of third parties and the settling of disputes. Works in particular states are subject to their laws and regulations applicable to similar works. The development of hydraulic power on international waterways is subject to all rights and obligations resulting from the general convention establishing their status. The convention continues in force in time of war so far as belligerent and neutral rights and duties permit.

### ROAD TRAFFIC

The Permanent Committee of Inquiry on Road Traffic first met in October, 1924, to draft a revision of the convention signed at Paris on October 11, 1909, with respect to international circulation of motor vehicles.<sup>1</sup> A new conference attended at Paris by 53 countries April 20-24, 1926, embodied in a new convention the principal clauses of a draft<sup>2</sup> drawn up by the committee.

The committee has concentrated attention on the uni-

<sup>1</sup> 102 *British and Foreign State Papers*, p. 64.

<sup>2</sup> Early draft in *Official Journal*, VI, p. 978.

fication of traffic regulations in the interests of safety. Automobile clubs are cooperating with this effort. One resolution recommended the general adoption of right-hand traffic as the most expedient and feasible solution of the problem in European states, this rule having already been applied by the majority of those states. The committee is examining the question of road signals<sup>1</sup> and many incidental problems connected therewith in the light of the rules and habits in force throughout the world.

### CALENDAR REFORM

The inconveniences of the present calendar are keenly felt by economic life as a whole and particularly by transport. The International Chamber of Commerce in 1921 and the International Astronomical Union in 1922 advocated reform. A preliminary investigation showed that the reform of the calendar necessarily involved as a first step a consultation of the religious authorities interested, in order to determine to what extent solutions were possible.

A Special Committee of Inquiry into the Reform of the Calendar was decided upon by the Advisory Committee at its fifth session in 1923, consisting largely of experts in the fields of religion and astronomy. After studying replies to questionnaires sent to Governments, religious communities and international organizations and hearing those interested — primarily representatives of various religions — the committee ended its work in 1926 by presenting a report of its findings.

The Seventh Assembly came to the conclusion that the next step should be to make this work known in the various countries. For this purpose it suggested the formation of international organizations to study the questions, to include representatives of the principal interests involved. None of the religious authorities upon whom the settlement of this question depended had formulated objections to the

<sup>1</sup> *Report of the Permanent Committee on Road Traffic regarding Road Signalling.* League of Nations, C. 15. M. 8. 1928. VIII. 1.

principle of the fixing of Easter, and no objections had been raised in lay circles.<sup>1</sup>

The Report on the Reform of the Calendar<sup>2</sup> is a comprehensive review of opinions collected from Governments and other sources. The defects of the Gregorian calendar are that the divisions of the year are of unequal length; months contain from 28 to 31 days; quarters of the year vary from 90 to 92 days; the first half of the year contains two or three days less than the second; and there is an unequal number of weeks in the quarters and half years. These inequalities cause confusion and uncertainty in respect to all statistics, accounts, commercial and transport figures.

The year contains 52 weeks plus one day, or two days in leap year. As a result of leap year, the exact reproduction of the calendar takes place but once every 28 years. The day of the month falls on a different day each year. The dates of periodical events vary. The position of weeks and quarters overlaps and reckonings are thereby complicated, while the frequent falling of the first and thirtieth of months on Sunday creates difficulties in making fixed payments. Perhaps the greatest drawback from a statistical and commercial point of view is that the variations render similar periods incomparable. One month of 30 days may contain five Sundays and five Saturday half days on which no production occurs, whereas another month of 30 days will contain but four of each.

The committee received and examined 185 schemes for reforming the calendar, of which 33 were from France, 27 from the United States, 24 from Germany and 14 from Switzerland. The committee felt that it could not recommend any reform changing the beginning of the year from January 1 to December 22, the winter solstice; any alteration in the length of the year, or any scheme making the months of more irregular length. It felt that a general renaming of the months was not of practical utility.

<sup>1</sup> *Official Journal*, VII, p. 1192.

<sup>2</sup> League of Nations, A. 33. 1926. VIII. 6 and C. 167. M. 49. 1927. VIII. 8.

The committee draws the attention of the public to three groups.

The first of these equalizes the quarters of the years. Each quarter would consist of two months of 30 days and one month of 31 days with an additional day in one quarter. Aside from the extra day, each quarter would contain exactly 13 weeks, and each quarter would be easily comparable within itself.

The two other groups provide for a blank day. Thus the year would contain exactly 52 weeks for computing purposes. One scheme provides for 12 months of 30 and 31 days; while the other provides for 13 months of 28 days. Each completely rectifies the variability of the existing calendar. They also possess all the advantages of equalizing divisions of the year. The advantages and disadvantages of both are set forth. The very logical and convenient scheme of 13 months is chiefly objected to because 13 is not readily divisible. Governments seem to feel that the 12-month system would cause less disturbance to established customs, but an increasing number seem to favor the 13-month system, particularly those who are already using it as an auxiliary calendar.

No objection was found to the stabilization of Easter. The Christian churches saw no objection from the point of view of dogma, and all stated that they were willing to accept a reform which would serve the good of humanity. The business world was distinctly favorable because of the influence of a variable Easter on numerous industries. Railroad administrations favored it, and school authorities were without exception desirous of it. At the present time Easter varies between March 22 and April 25. Most replies favored the stabilization of Easter on the second Sunday in April. The committee was prepared to accept this day, with the suggestion that the accurate definition be "the Sunday following the second Saturday of April."

## ADJUSTMENT OF DISPUTES

**European Commission of the Danube.** A dispute between France, Great Britain and Italy on the one hand and Rumania on the other respecting the jurisdiction of the European Commission of the Danube was submitted to the Committee for Communications and Transit. The Transit Committee appointed a special committee to study the question on the spot in the spring of 1925,<sup>1</sup> and it met with delegates to the European Commission of the Danube in September, 1925, and September, 1926. As a result of these discussions, the British, French, Italian and Rumanian delegates to the European Commission signed an agreement requesting the Council to ask the Permanent Court of International Justice for an Advisory Opinion respecting the powers of the European Commission. The Court rendered its opinion on December 8, 1927,<sup>2</sup> finding that the European Commission "has the same powers on the maritime sector of the Danube from Galatz to Braïla as on the sector below Galatz" and that its powers "extend over the whole of the maritime Danube" including harbor zones. The opinion was communicated by the Council to the Chairman of the Committee on Communications and Transit for transmission to the Governments concerned.

**Oder River System.** The treaties of peace provided for revision of the international agreements and regulations relating to the Oder River. A dispute developed between Great Britain, Czechoslovakia, Denmark, France, Poland, Prussia and Sweden respecting the inclusion of navigable tributaries of the Oder which are in Polish territory within the internationalized waterway system. The British Government referred this dispute to the Advisory and Technical Committee by a note of August 23, 1924, France also asking that the committee fix the limits of the international

<sup>1</sup> The committee met at Geneva February 18-19, and March 30-April 2, 1925.

<sup>2</sup> Publications of the Permanent Court of International Justice, Series B, No. 14, and Series C, No. 13-IV.



river system. The committee heard the parties in interest, following study of a report by its own commission of inquiry. Calling attention to the fact that its duty was to act as a conciliatory agency, the committee on November 27, 1924, concluded that the jurisdiction of the International Oder Commission should extend upstream on the Warthe to and above Posen and upstream on the Netze as far as Usch, while other sections of the system should be subject to the provisions of the Barcelona convention on the régime of navigable waterways.<sup>1</sup>

**Railroad Systems.** Various questions arising from the division of railroad systems between states as a result of the peace treaties have been referred by the Council to the committee and submitted by it to its Subcommittee on Transport by Rail. The Arad-Csanad railways case was the first of this series, coming before the Council in December, 1923, at the request of the Hungarian Government under Art. 304 of the treaty of Trianon. The subcommittee, having found that the dispute had not been the subject of negotiations between the Hungarian and Rumanian Governments, so reported to the Council, which on March 15, 1926,<sup>2</sup> held that it was better not to intervene until an attempt at direct negotiations had failed. Such negotiations were opened in November, and on December 6, 1926, the Rumanian representative informed the Council "that an amicable settlement had been reached regarding railways."<sup>3</sup> The railways then involved in this solution were the Arad-Csanad United, the Haskovo-Mastanly, the Maramarosi-Tarsasag, the Nagykaroly-Matesalka-Casp and Szatmar-Matesalka Railways.<sup>4</sup>

On September 26, 1928, the Council appointed arbitrators following a similar examination by the Committee on Communications and Transit to settle the problem of the administrative and technical reorganization of the

<sup>1</sup> *Records of the Sixth Assembly, Plenary Meetings*, 1925, p. 255.

<sup>2</sup> *Official Journal*, VII, p. 504.

<sup>3</sup> *Ibid.*, VIII, p. 114.

<sup>4</sup> *Ibid.*, VII, p. 1218, 1406, 1415.

Sopron-Kőszeg Railway Company, whose lines are situated in Austrian and Hungarian territory. At the same time, the Council, on the advice of the committee, recommended negotiations between the Czechoslovak and Hungarian Governments with an effort to reach an agreement respecting the reorganization of the Boldva Valley Local Railway Company.

**Saar Railroads.** Freight traffic in Europe is regulated by the international convention signed at Bern in 1890. The Governing Commission of the Saar wished to apply it to the commerce of the territory, and proposed to adhere to the convention. The German Government opposed this proposal on the ground that shipments between Germany and the Saar were subject to internal German transport regulations. The Council of the League in September, 1921, referred the problem to the Advisory and Technical Committee for Communications and Transit, which on August 31, 1922, remitted the question to an inquiry committee according to the conciliatory procedure laid down by the Barcelona Conference. This committee consisted of four experts appointed by the Advisory and Technical Committee, two by Germany and one by the Saar Governing Commission. The experts met at Luxemburg, and on November 24, 1922, unanimously approved a practical and technical agreement solving all outstanding difficulties. This convention entered into force in January, 1923.<sup>1</sup>

#### THE STRAITS COMMISSION

By Art. 15 of the convention relating to the Straits signed at Lausanne, July 24, 1923, the Straits Commission performs its functions under the auspices of the League and makes an annual report to the Council.<sup>2</sup> The convention lays down the detailed rules for what amounts to the neutralization of the Dardanelles, Sea of Marmora, and Bosphorus. In peace and war the commission is intrusted with

<sup>1</sup> *Treaty Series*, XXVII, p. 289.

<sup>2</sup> *Official Journal*, VII, p. 951; VIII, p. 778; IX, p. 879.

administration under these rules.<sup>1</sup> It is composed of representatives of Bulgaria, France, Great Britain, Greece, Italy, Japan, Rumania and Turkey. The Soviet Union reports its naval forces.<sup>2</sup>

The Secretary-General communicates the reports to the Members of the Council, states signatory to the convention, the Members of the League and any technical organization of the League which might be interested in the information contained in them.

### 3. The Health Organization

The health activities of the League are due to Art. 23 (f) of the Covenant which provides that the Members of the League "will endeavor to take steps in matters of international concern for the prevention and control of disease"; to Art. 24 declaring that all international bureaux should be under the direction of the League; and to Art. 25 by which Members agree to encourage and promote the establishment and cooperation of voluntary Red Cross organizations "having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world."

The Universal Sanitary Convention signed at Rome, December 9, 1907, established the Office international d'Hygiène publique, which in June, 1919, voted to come under the direction of the League. The British Ministry of Health convened a conference at the request of the Council on April 13, 1920, to draft an organization for the health activities of the League. This conference provided that the Paris office should be maintained and that its delegates should be members of the League's General Committee. The Office international d'Hygiène publique by a decision of April 25, 1921, found itself unable to appoint representatives to sit on the proposed committee, on the ground that the United States, which was a member of the Office inter-

<sup>1</sup> *Treaty Series*, XXVIII, p. 115.

<sup>2</sup> *Official Journal*, VIII, p. 318, 630.

national, was not willing that it should in any way be attached to the League.

The Assembly on December 10, 1920, had approved setting up an organization, and on June 22, 1921, the Council established the Provisional Health Committee. Later the scheme of the Permanent Health Organization was worked out and approved by the Council on July 7, 1923,<sup>1</sup> and by the Fourth Assembly.

### COMPOSITION OF ORGANIZATION

The Health Organization consists of

1. The General Advisory Health Council, which is the Committee of the Office international d'Hygiène publique;

2. The Standing Health Committee, 24 members, of which nine are appointed by the Committee of the Office international, six elected by the Council of the League and the rest experts and assessors elected by the Council. The third term of three years begins in 1929. The Health Committee meets in April and October.

3. The Health Section of the Secretariat.

**General Functions.** The Health Organization deals only with questions of international character. To an increasing extent it serves as the avenue of communication between the public health services of states. Its collection of information is not only exclusively international but is confined to questions in which several states have an interest. The specific fields with which it is concerned vary from year to year, but its activities may be said always to supplement efforts of national public health services either to secure information or to contribute to their efficient administration. It affords a means of cooperation in the domains both of scientific investigation and administration. The content of international conventions, so far as they relate to sanitary measures, naturally falls within its field of interest. The Health Section is generally recognized as the suitable mediatory body for the solution of differences on such matters.

<sup>1</sup> *Official Journal*, IV, p. 1051.

The numerous commissions appointed to handle specific problems are uniformly composed of some members of the Health Committee and a group of experts. For example, much specialized work has been done and the results published in the following fields. The Smallpox and Vaccination Commission is making inquiries and researches into the preparation, use and after effects of lymph. Attention has been given to problems connected with the quarantine disinfection of ships. An opium commission handles the medical phases of that problem in conjunction with the League Advisory Committee. There has been a Subcommittee on Anthrax. In the field of vital statistics, a committee to define "still-birth" made a report in 1925, which has been generally accepted. A committee on the nomenclature of causes of death is at work revising the international list which is in general use among census authorities. Another Committee on a Standard Million Population is trying to determine the fundamentals of that statistical unit. A Commission on Tuberculosis Mortality is pursuing its investigations.

The Assembly frequently proposes new phases of work for investigation.

The activities of the committee are valuable chiefly from a technical point of view, which can only be adequately appreciated by a study of its extensive publications.

Since 1925 an annual edition of *The International Health Year-Book* has been issued. A series of monographs on the *Organisation of Public Health Services* and a handbook series on *Official Vital Statistics* are being issued.

### FIGHT AGAINST EPIDEMICS

In 1920, serious epidemic conditions existed in Eastern Europe. Millions of refugees were huddled together under unsanitary conditions and various typhus and relapsing fever epidemics, originating in Russia, were devastating them. In the previous year, 1919, a commission of the League of Red Cross Societies had found that the situa-

tion was beyond the means and resources of the local administrations and of private voluntary organizations. Accordingly, the Council on March 13, 1920, requested the London Health Conference to draw up a program to cope with the situation. The Epidemic Commission of the League was authorized by the Council on May 19, 1920, and immediately set to work.

Voluntary contributions of states Members of the League made it possible to promote international cooperation in these extraordinary circumstances. Medical measures were left to the local authorities, but the cooperative campaign was planned through the League Epidemic Commission, whose work was the more valuable because most of the Russian border states were newly organized and their own administrations not fully developed. Up to August 1, 1921, the commission had spent about \$1,000,000 in co-ordinating the battle against the epidemic scourges, and over 3,000,000 persons had been vaccinated in Greece alone. The direction of this work fell to the Provisional Health Committee after its organization. The Warsaw Conference in 1922 did much to organize the permanent defenses of Europe against epidemics.

**The European Health Conference** held at Warsaw, in March, 1922, summoned by the Polish Government on the invitation of the Council, was the first all-European conference since the close of the World War and the first co-ordinated effort on the part of governmental and public authorities to fight epidemics in Europe. It was attended by representatives of 27 governments. A series of resolutions<sup>1</sup> laid down a comprehensive plan of campaign to strengthen the sanitary defenses of states bordering on Russia, where a typhus epidemic raged. It provided for the organization of sanitary training courses in Warsaw, Moscow and Krakow and laid down the general lines for a series of sanitary conventions.

These conventions were made to provide for the mutual notification of cases of cholera, plague, relapsing

<sup>1</sup> *European Health Conference* held at Warsaw . . . from March 20th-28th, 1922, p. 5-10.

fever or typhus. Precautionary measures to prevent the spread of these epidemic diseases are to be notified to other states and all possible assistance in making them effective is to be given. Medical inspection, disinfection, the segregation of infected persons and other similar measures are to be taken by the authorities within areas defined as centers of infection. Adequate inspection and examination, as well as prophylactic methods, are to be exercised on the land and maritime frontiers with a view to preventing the spread of epidemic diseases, and the authorities of adjacent countries undertake to assist each other in these respects. Special régimes may be established in frontier zones extending five kilometers each side of the boundary line in case of need, while frontier medical observation posts may be established and are entitled to assistance from similar posts of the other country. One feature of the conventions is a clause providing that all disputes regarding their interpretation or application shall be submitted to the mediation of the Health Section of the League.<sup>1</sup>

**Epidemiological Intelligence.** The need for a service of epidemiological intelligence was emphasized by the experiences of the Epidemic Commission. The impossibility of public health services waging an effective campaign against epidemics without facts as to their incidence and scope made the collection and distribution of such information the first task of the Provisional Health Committee. Many technical problems had to be overcome, such as lack of uniformity in the methods of gathering such information. The Epidemic Commission had made investigations and published several reports.

<sup>1</sup> Conventions of this type have been made between Poland and Rumania, Warsaw, December 20, 1922 (League of Nations, *Treaty Series*, XVIII, p. 104); Germany and Poland, Dresden, December 18, 1922 (*Ibid.*, XXXIV, p. 302); Latvia and Poland, Warsaw, July 7, 1922 (*Ibid.*, XXXVII, p. 318); Latvia and the Russian Soviet Republics and the Soviet Republics of the Ukraine and White Russia, Tartu, June 24, 1922 (*Ibid.*, XXXVIII, p. 35); Estonia and Latvia, Tartu, June 24, 1922 (*Ibid.*, XXXVIII, p. 81); Poland and the Russian Soviet Republics and the Soviet Republics of the Ukraine and White Russia, Warsaw, February 17, 1923; Czechoslovakia and Poland, Warsaw, 1922, Estonia and the Russian Soviet Republics and the Soviet Republics of the Ukraine and White Russia, Tartu, June 25, 1922; Bulgaria and the Serb-Croat-Slovene State, April, 1923.

An appropriation of an annual grant of \$32,840 from the International Health Board of the Rockefeller Foundation enabled the Committee in July, 1923, to issue the *Monthly Epidemiological Report*. The report has become more and more valuable to public health services throughout the world and has steadily increased in accuracy. Back of this development has lain extensive scientific and technical investigations, resulting in radical changes in the methods of handling public health statistics.

The great plagues which afflict mankind and decimate populations originate in the Far East, and are spread throughout the world. In November, 1922, the League's epidemic commissioner went on a mission to the Far East to acquaint himself with this situation. As a result, a bureau in the Far East to receive and distribute epidemiological information was suggested. The proposal was approved by the Health Committee, by the Council in 1924, and by an international conference of 12 Far Eastern health administrations at Singapore, February 4-13, 1925. Meantime, the Rockefeller Foundation had offered to grant a subvention of \$125,000 for a period of five years for the establishment of such a bureau.

**The Eastern Bureau.** The Eastern Bureau of the Health Organization at Singapore started work on March 1, 1925. It began by distributing telegraphic information from 35 ports in the 12 countries represented in the February conference. The development of the Bureau's weekly report was steady. In 1928, it received telegraphic information from 140 ports, to which it is only possible to add more Chinese ports in order to cover the whole of the Far East. Information thus gathered is broadcast in a code message every Friday from the wireless stations at Saigon, Indo-China, Bandoeng, Dutch East Indies, and by telegraph from Geneva to 124 public health administrations throughout the world. The code message is supplemented weekly by more detailed and additional reports by mail. The substance of these reports increases in value as a wider range of information becomes available through



steady improvement in the system of reporting and transmission.

The Eastern Bureau is intrusted with the duties of collecting and distributing epidemic information by the Paris sanitary convention of 1926, which supersedes that of 1907. As a consequence of its provisions, agreements were entered into in 1927 between the Health Committee and the Permanent Committee of the Paris office. These were approved by the Council on June 13, 1928.<sup>1</sup>

The Eastern Bureau is controlled by an Advisory Council consisting of delegates representing health administrations of the Far East. While its budget originally came entirely from the Rockefeller grant, health administrations are contributing to it, and eventually it will be supported by Government contributions.

The Epidemiological and Public Health Intelligence Services of the League are subject to constant improvement as the result of experience. In October, 1927, a Conference of Experts examined the form of presentation of the epidemiological publications and the conditions attending their preparation with a view to securing the greatest possible degree of uniformity and speed.

In November, 1926, an epidemic of influenza broke out in Europe and spread over a wide area. A special bulletin and a service of wireless broadcasts was begun to inform public health administrations of current conditions. A total of 30 countries contributed information, which materially aided in circumscribing the epidemic. All health services concerned contributed to a general report, which is probably the first instance of a complete, authentic record of the outbreak and subsidence of an epidemic. In 1928 aid was given to the Balkan states following serious earthquakes.

#### INTERCHANGES OF PUBLIC HEALTH OFFICIALS

The duty of the Health Organization to promote cooperation in the field of public health directed attention at the

<sup>1</sup> Text, *Official Journal*, VIII, p. 809.

outset to the desirability of bringing administrative health officials in different countries into closer touch with each other. Thanks to a yearly grant since 1922 from the International Health Board of the Rockefeller Foundation, varying between \$50,000 and \$75,000 annually, a great number of public health officials have visited other countries to study general or special phases of their work. What are known as collective interchanges, in which public health officers examine the operation of national administrations on a study tour, were most numerous in the first few years. As the work of the committee progressed, special interchanges of specially selected experts or even individual missions have occurred.

The collective interchanges began in October, 1922. They close with a conference and series of lectures at Geneva. During 1927 these interchanges were altered so as to become less of a study tour and were developed into international courses of advanced training in public health and hygiene. From 1922 through 1928 a total of 31 interchanges was held. Such interchanges were held in all parts of the world. From 1922-24, 176 persons of 126 nationalities participated.

In 1926 individual medical missions were inaugurated. These may be for the purpose of either scientific or laboratory research. A Japanese physician was enabled to complete a study of vitamins in Europe. An English professor made a special study and reported to the Health Organization on *The Food of Japan*.

While the interchanges are confined to persons who have already established themselves in their professions, the Health Organization has also provided scholarships for the study of special diseases. This is notably true in connection with the Malaria Commission, which has embarked on a program for training malarialogists.

**Training Courses.** The Health Committee on January 11, 1923, asked the Medical Director to collect information from the universities of America, Europe and Japan regarding the study of medical and social hygiene. On

February 20, 1924, the committee appointed a commission to examine the information collected, to continue the inquiry and to make recommendations as to the courses of study which in its opinion are most likely to yield the highest value in public education both from the scientific and practical points of view. The commission worked out a very complete schedule to this end,<sup>1</sup> with special reference to instruction courses. This Commission on Education in Hygiene and Preventive Medicine began in 1927 to hold sessions taking the form of conferences between the directors of schools of public health. A program for their cooperative realization is being carried out.

#### RELATIONS WITH SPECIAL AREAS

The Health Committee has responded to invitations to examine conditions or perform special work in various parts of the world. Most of these activities have been for a special purpose in connection with some phase of the committee's activities. Three areas, however, are receiving continuous attention, in addition to the contacts afforded by the interchanges of officials.

The special investigations of the Health Organization are of particular benefit to Latin America where both problems and conditions peculiar to the territory exist.

**Latin America.** The first League conference on Latin American soil was a Conference of South American Experts on Child Welfare<sup>2</sup> at Montevideo, Uruguay, June 7-11, 1927. Inquiry into infantile mortality is a great and urgent problem in South America, where underpopulation is a problem and infant mortality rates are comparatively high. The conference decided on a preliminary inquiry in Argentina, Brazil and Uruguay, which was followed by a detailed study ending in 1929. An international school for infant and child hygiene at Buenos Aires under the auspices of the League is proposed. The establishment of

<sup>1</sup> Health Committee *Minutes of the Third Session*, p. 49-54.

<sup>2</sup> League of Nations, A. 49. 1927. III. 8.

an international school of public health under the auspices of the League at Rio de Janeiro, Brazil, was approved by the Health Committee in 1927. Programs of study on leprosy, the diagnosis and treatment of syphilis and the coordination of laboratory work are under way in South America.

**Pacific Problems.** An International Pacific Health Conference was held at Melbourne from December 15-22, 1926. In accordance with its invitation a preliminary survey has been made of health conditions in Papua, New Guinea, the New Hebrides, New Caledonia, the Solomon Islands and Fiji.

Much valuable and original information is contained in the records of the Japanese Health Service which have been practically a sealed book to western medical science. The Japanese health and medical authorities formed a commission to strengthen the contacts between the Health Organization and applied medical science in the Far East. Monographs, based on recent original Japanese research work on public health problems of international importance, are being published by the Health Committee through its help.

#### STANDARDIZING SERA

The provisional Health Organization has conducted a technical reform of far-reaching importance through the Commission on Standardization of Sera, Serological Reactions and Biological Products. The international character of medical science forced the nations to an agreement on the unification of the formulas of potent drugs, which was signed at Brussels November 29, 1906. In the period since then serum has come to be widely used as a means of treatment, but sera are made by different processes in different countries, and variations in strength have created great difficulties.

The Health Committee convened a conference of delegates of medical institutes at London in 1921 to discuss the problem. They agreed upon a scheme of coordinated investigation, designating the Danish State Institute of Serotherapy at Copenhagen as the laboratory to centralize

their results. A conference in Geneva in September, 1922, a more general one at the Pasteur Institute in Paris in November, 1922, a conference at Edinburgh in July, 1923, and a technical laboratory conference at Copenhagen in November, 1923, produced the first results and determined the methods followed. These may be described as the conduct of extensive laboratory tests of a given substance, followed by a conference of technicians to agree upon the conclusions produced.

Once a standard is agreed upon, the preservation of it is intrusted to a specific serological or biological institute. The units fixed by the commission are known as League of Nations units and were recommended as standard for the world by the Second International Conference for the Unification of the Formulæ of Powerful Drugs at Brussels, September 21, 1925.

Anti-diphtheritic serum has been determined as the Ehrlich standard, 10,000 antitoxin units as a therapeutic dose and 1,000 units as a preventive dose. The anti-dysentery serum was standardized by utilization of the Shiga bacillus. Experiments with respect to standardizing tuberculin have been under way for three years, and investigations respecting anti-meningococcus, anti-pneumococcus, and anti-streptococcus are being held.

In the field of the biological standardization of drugs, the efficacy and toxicity are determined. For medical practice, it is also important to determine the strength at which they should be administered. Standards have been fixed for pituitary extract, insulin, digitalis, arcenobenzols and thyroid gland extract. Ergot, cod liver oil and vitamins, parathyroid extract and ovarian extract are in process of standardization.

Extensive tests as to the reagents in the serological diagnosis of syphilis resulted in a special conference in May, 1928.

**Rabies.** The first International Rabies Conference was attended at the Pasteur Institute in Paris in April, 1927, by representatives from anti-rabies institutes in 27 coun-

tries. This conference was organized by the Health Committee in view of the general interest in the treatment of hydrophobia and numerous requests made by directors of anti-rabies institutes.

Four committees were concerned with the nature of the rabies virus; the methods of inoculating persons after they have been bitten; various modifications of the Pasteur treatment; general and local accidents consequent on anti-rabies inoculations; post-vaccinal paralysis; the problem of inoculating domestic animals which have been bitten and the preventive inoculation of dogs; the necessity for preparing upon a uniform basis statistics concerning the results obtained from anti-rabies treatment; legislation in force in the various countries.

The conference<sup>1</sup> adopted the resolutions and recommendations of its committees and decided upon inquiries concerning the technique of human vaccination, different kinds of vaccine, plurality of strains of street and fixed virus, the rabicidal action of the serum of man and animals during and after immunization, etc. It requested the Health Organization to organize these investigations and arrange to collect and distribute information relating to rabies.

#### MALARIA COMMISSION

The Provisional Health Committee appointed a malaria subcommittee in January, 1923, which became the Malaria Commission in 1924. Malaria is endemic in districts inhabited by 650,000,000 people, a third of the world's population. By a series of study tours in Bulgaria, Greece, Italy, Rumania, Russia, Serbia, Albania, Macedonia and the Ukraine, and investigations in Corsica and Sicily and the Mediterranean basin generally the commission was able to prepare a general report<sup>2</sup> of great value in 1927. The report emphasizes the commission's view that no one method of malaria suppression can be considered best, and

<sup>1</sup> Reports . . . to the *International Rabies Conference* . . . (C. H. 531 (1). 1927. III. 14).

<sup>2</sup> *Principles and Methods of Antimalarial Measures in Europe* (C. H. Malaria. 73. 1927 III. 3).

that each district must be carefully studied before deciding what methods are the most likely to yield good results.

Visits have been paid to the deltas of the Mississippi, Danube, Ebro and Po to determine the connection of rivers with the disease. Investigations also have extended to such subjects as the influence of rice fields in Europe, the rôle of animals, the results of drainage measures, of measures directed against adult mosquitoes and against larvæ, conditions under which mosquitoes become infected, the value of the secondary alkaloids of cinchona as a substitute for quinine, etc.

All this work was reviewed at the session of the commission at Geneva in June, 1928, when the report was discussed with the corresponding members and experts of the commission, a representative of the United States Public Health Service and six experts of the Rockefeller Foundation. The conclusions of the report were analyzed and a future program adopted.

Courses of study for training malariologists, organized by the Malaria Commission in selected institutes in London, Rome, Paris and Hamburg, followed by practical work and observation in malarial areas in Corsica, Italy, Serb-Croat-Slovene State and Spain, were given in 1926 and are repeated annually. Fourteen scholarships are awarded for these courses by the Health Organization in addition to those provided by the Rockefeller Foundation.

### INFANT MORTALITY

The Netherlands Government proposed to the Sixth Assembly an inquiry into infant mortality. The Committee of Health Experts on Infant Welfare laid down their program of work in 1926. By 1928 they had concluded an inquiry in 29 districts, both urban and rural, of seven European countries where infant mortality was respectively high and low but in which such factors as the birth rate were relatively comparable. A full report has been prepared.

The committee continues to collect information as to immunization against measles, scarlet fever and diphtheria and is preparing to study rickets. Special attention is being given to Latin America, which the committee visited in 1927.

### CANCER

A subcommittee of the Provisional Health Committee was appointed on this subject on June 5, 1923. It was reconstituted as the Cancer Commission by the Standing Health Committee, February 20, 1924, with the addition of experts and consultants. A first report made in 1926 dealt with (1) the reality of differences in frequency of cancer of the breast and the uterus in different countries; (2) the negative results of investigations as to the possible relation between cancer mortality and race in certain European countries; (3) the value to be attached to statistics concerning cancer mortality and the interpretation of such statistics; (4) the results of various national inquiries and statistical data collected and collated by the Secretariat; (5) a memorandum on the best methods of securing sufficient publicity for the information already collected. The commission continues on a program emphasizing the study of occupational cancer and certain aspects of the radiological treatment of cancer.

### HEALTH INSURANCE

A preliminary survey <sup>1</sup> on the relation of health insurance to public health services brought out in 1927 that a great many health insurance organizations are engaged in one form or another of preventive medicine, health education or public hygiene, but often with little or no correlation with that of other public health agencies. The introduction of a well-considered system would allow of better utilization of all available facilities. The Health Committee decided to appoint a commission of experts, which

<sup>1</sup> *Health Committee. Ninth Session*, p. 71 (C. 107. M. 38. 1927. III. 4).



confined its work in 1928 to the examination of two questions, the prevention of tuberculosis and the protection of maternity, infancy and the child of preschool age.

### TROPICAL DISEASES

The problem of combating diseases peculiar to the tropics was brought to the attention of the Provisional Health Committee by the Mandates Commission, which had learned from the reports of the mandatory states something of the scope of the problem. The question of sleeping sickness had in fact been approached before the World War and there had been held in London in June, 1907, an international conference on that subject. The Health Committee appointed four experts on May 15, 1922, to report upon sleeping sickness and tuberculosis in equatorial Africa. On February 21, 1924, the committee named three of its own members to guide the work of the experts with respect to health conditions in mandated territories. The preliminary report recommending administrative and technical aid to combat the scourge was studied by an international conference at London in May 19-22, 1925, when a new program of investigation was decided upon. A second conference upon the commission's final report will be held in 1929. A permanent committee to receive and discuss annual reports on the program of research work exists. Several conferences of African officials have been held.

### 4. Intellectual Cooperation

The First Assembly, on December 18, 1920, approved the assistance which the Council had given to the development of international cooperation in intellectual activity and particularly support extended to the Union of International Associations. On September 21, 1921, the Second Assembly adopted a resolution, proposed by Léon Bourgeois in the name of the Council, to the effect that the Council should nominate a committee to examine international questions regarding intellectual cooperation.

**Committee.** The committee was not to exceed 12 members. On January 14, 1922, the Council decided to appoint this committee.

Henri Bergson, the French philosopher, was chairman of the committee until his resignation on August 12, 1925. He was succeeded by Professor H. A. Lorentz, the Dutch physicist, until his death on February 4, 1928. Professor Gilbert A. Murray, the Oxford Greek scholar, was elected chairman on July 25, 1928, and at the same time Mme. Curie, the famous scientist was made Vice-President. Professor Robert Andrews Millikan, director of the Norman Bridge Laboratory of Physics at the Technological Institute of California, has been the American member from the beginning. Albrecht Einstein, the German physicist, resigned at one time and later resumed his membership. Several other changes in membership have occurred. In July, 1925, the committee appointed three corresponding members. The committee, as a result of changes, had increased in 1928 to 15 members, including a Japanese.

In 1922, when the committee was first constituted, its members were appointed for an indefinite period. As the Council felt that the committee should be regarded as a permanent organ of the League, it decided that the term of office of its members should be for five years (from June 9, 1926) and should be subject to renewal.<sup>1</sup>

**Development.** The committee started its activities with a general inquiry for the purpose of ascertaining the extent of the evils from which intellectual activity and intellectual workers in different professions were suffering, and collecting suggestions for possible remedies. It was deeply impressed with the hard conditions confronted by intellectual workers in certain countries. A definite appeal bespeaking assistance for the Austrians was addressed on November 4, 1922, to the learned institutions and societies of all countries, and resulted in a generous response. Subsequently a similar appeal was made on behalf of the Hungarians. At the beginning of 1923, Albania, Austria,

<sup>1</sup> *Official Journal*, VII, p. 949.

Bulgaria, Czechoslovakia, Estonia, Hungary, Lithuania, Poland, Rumania and the Serb-Croat-Slovene State were availing themselves of the avenue afforded by the committee to maintain touch with their fellow workers throughout the world.

At the outset the committee directed an inquiry into the conditions of intellectual work, the monographs of which have been published. Some of these relate to general questions, but the more extensive series is devoted to intellectual life in specific countries.

The committee secured a large number of books for the University of Tokio, which was destroyed by earthquake in 1923.

While these postwar problems were being met, the committee was developing a program for permanent work. At its first session it appointed three subcommittees on bibliography, university relations and intellectual property and in 1925 one on arts and letters. To these committees there came without delay a wide variety of problems. As part of the organization, it was decided to encourage the formation of national committees in the different countries. In 1924, France proposed to establish an International Institute at Paris, and it has functioned since 1926 as a special organ of the committee with its own staff. Both the Committee and the Institute have been under the necessity of calling upon numerous committees of specialists, since almost every question which has arisen has required special technical investigation. There is also a tendency to establish specialized offices in connection with the Institute which, in addition to its own program, aims to be hospitable to all efforts at intellectual cooperation. The International Committee itself is served by a section of the Secretariat. The Institute, while autonomous, is controlled by the committee sitting as its Governing Body. The detailed work of the Institute is under the authority of a committee of Directors, and it has attached to it national delegates appointed by Governments. The complications of the organization which have thus grown up

led the committee at its 10th session to decide to review both its program and mechanism. "The organization," said the rapporteur of the committee to the Council, "must be informed by a single guiding spirit which will insure the smooth working of all its parts."

**National Committees** were felt to be necessary to act as intermediaries between the organizations of the respective countries and the League committee, and to assist in inquiries on the conditions of intellectual life undertaken by it by transmitting either directly or to other national committees both information and requests. The national committees determine their relations with their Governments, and their rules of procedure and composition. The first of these national committees came into being as organs for rendering assistance to intellectual *confrères* in the countries most adversely affected by the World War. They have now transferred their activities to distinctly intellectual matters. Committees have been organized in the following countries: Australia, Austria, Belgium, Bolivia, Brazil, British Empire, Bulgaria, Chile, Cuba, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Japan, Latvia, Lithuania, Luxemburg, Netherlands, Norway, Panama, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, South Africa, Spain, Sweden, Switzerland and United States.

The Eighth Assembly invited "states Members of the League which have not already done so to consider the possibility of providing the necessary funds to meet the expenses of their respective National Committees." At its 10th session the committee decided to summon in 1929 a meeting of representatives of the national committees to establish closer relations with one another, to exchange information as to their organization and methods of work, to make known their views on the work of the international committee and to suggest questions which the latter might usefully study.

## INTERNATIONAL INSTITUTE

The French minister of education, on July 24, 1924, offered the committee a building and an annual fund for the establishment of an International Institute of Intellectual Cooperation.<sup>1</sup> The Council accepted this offer in principle on September 9. A lively debate occurred in the Second Committee of the Fifth Assembly respecting this proposal. The Assembly laid down principles to control its acceptance and on December 8, 1924, the French Government embodied these in a formal tender to the Council, appending an organic statute of the proposed institute. This was accepted by the Council as an agreement<sup>2</sup> on December 13, 1924.

The International Institute was inaugurated on January 16, 1926, with offices in the Palais Royal, 2 rue de Montpensier, Paris. It is under the detailed control of a Committee of Directors consisting of five persons of different nationalities<sup>3</sup> and the chairman of the Governing Body.

The Governing Body of the Institute is constituted by the Committee on Intellectual Cooperation and presided over by a French member of the committee. The Governing Body draws up the budget and determines the program of work; it appoints the directorate, the director and the heads of sections and branches.

The Institute is headed by a French director and an English assistant director.

The French Government provides toward its support a sum of 2,100,000 French francs annually,<sup>4</sup> including the cost of the necessary premises which are placed at its disposal by the French Government. The Institute as a legal person may accept donations, legacies, and subsidies from governments, institutions, organizations or private

<sup>1</sup> *Official Journal*, V, p. 1522.

<sup>2</sup> *Ibid.*, VI, p. 157.

<sup>3</sup> Vernon L. Kellogg, of the National Research Council, is the American member. C. Vibbert replaced him in one session.

<sup>4</sup> Increased in 1928 to 2,600,000 French francs.

persons. The French Government undertakes to maintain its part of the agreement for a period of seven years.<sup>1</sup> The budget for 1929 amounts to 2,896,000 French francs, to which, besides France, Austria, Belgium, Egypt, Ecuador, Hungary, Italy, Luxemburg, Monaco, Poland, Portugal, Switzerland and Czechoslovakia have contributed subsidies.

"The principal object of this institute shall be to prepare the work to be discussed by the Committee on Intellectual Cooperation, to assure in all countries the carrying out of the decisions and recommendations of that committee, and, under the direction of the committee and by every means in its power, to promote, through international cooperation, the organization of intellectual work throughout the world" (Art. 2).

The work of the Institute is divided among sections corresponding to the subcommittees of the Committee, of which they are the executing organs. The sections deal with University Relations, Artistic Relations, Literary Relations, Scientific Relations, a Section of Information and Reference and a Legal Service. A full analytical report is under preparation to enable the activities to be coordinated and concentrated.

**National Delegates.** National delegates accredited to the Institute have been named to cooperate with it by the following states: Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Irish Free State, Italy, Luxemburg, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Poland, Portugal, Rumania, Salvador, Sweden, Switzerland, Uruguay, Venezuela.

#### UNIVERSITY RELATIONS

The Subcommittee on University Relations was appointed on August 4, 1922.

The International University Information Office was

<sup>1</sup> *Official Journal*, VI, p. 285.

established at Geneva in January, 1924, under the direction of a governing body of which the director of the American University Union in Europe was a member. In 1924 and 1925 the office published a periodical *Bulletin* dealing with all phases of university relations, and paying special attention to information concerning the international recognition of degrees and diplomas, comparative study of curricula, announcements of courses on international relations in all phases, the interchange of students, and the extension of the interchange of professors. This has been continued by the Institute as the *Bulletin for University Relations*.

On April 6, 1925, the governing body arranged for carrying out Dr. C. T. Hagberg Wright's plan for the establishment of the list of the best works published in various countries, which was approved by the committee in July, 1924. Such lists of *Notable Books* have been compiled by the national committees and published by the Institute for 1924 and following years.

**University Problems.** The directors of National University Offices have met annually since 1926 on the invitation of the Institute. These offices are being organized in all countries to deal with the relations between their own and foreign universities. The International Institute of Education and the American University Union act for the institutions of the United States. At the third meeting in April, 1928, the delegates studied questions concerning the movements of professors and students between the different countries; the obstacles (difference of language, cost of living, depreciated currency) to the international exchange of professors and students; the equivalence of university degrees; special courses for foreigners; measures to facilitate student travel and to enable them to benefit as far as possible by these travels.

It is proposed that international agreements should be concluded for the encouragement and systematic preparation of exchanges of teachers, for which the national committees on intellectual cooperation can usefully act as liaison

offices, especially for the organization of longer teaching courses.

**Coordination of Studies.** A meeting of Experts on Coordination of International University Studies met at Berlin March 22-24, 1928. Walter W. McLaren, secretary of the Institute of Politics at Williams College, Williamstown, Mass., participated. The experts submitted reports on the work of the institutes they represented and passed resolutions for coordinating their work. A general program to this end will be drawn up at a later meeting.

**University Exchanges.** On March 7, 1928, the Council authorized the Committee on Intellectual Cooperation to accept the offer of the American Council on Education to contribute \$5,000 for an inquiry in Europe with regard to the organizations dealing with exchanges of professors and students between different countries. The resulting handbook, *University Exchanges in Europe*, is due to go into a second edition with the aid of a new grant of \$4,000.

**Scholarships.** In 1928 the subcommittee and plenary committee recommended that a special committee of experts should be instructed to study the problem of national and international postgraduate scholarships as to its application not only to scientific laboratories but also to institutes for the study of humanities and sociology.

A compilation entitled *Holiday Courses in Europe* is published annually since 1928.

**Students' Organizations.** The Committee of Representatives of International Students' Organizations has held annual sessions at Geneva since 1926. The organizations represented were: the International University Federation for the League of Nations, the World Union of Jewish Students, the International Federation of University Women, the International Student Service, the World Student Christian Federation, "Pax Romana," the International Students' Confederation and the Auslandsamt der deutschen Studentschaft (in an advisory capacity).

At its second session the committee decided that a central international office should be set up in connection



with the International Institute, with one delegate from each of the international students' organizations. An international students' identity card has been prepared. Among the questions discussed at the third session were unemployment in connection with brain workers, international student statistics, a scheme for an international university yearbook, a study of methods of self-help and mutual aid and the cooperative organization of students, the coordination of the dates of international students' conferences, the encouragement of foreign studies, and the most suitable means of making known the traveling facilities for students already granted by Governments and traveling agencies.

#### SCIENCE AND BIBLIOGRAPHY

The Subcommittee on Bibliography was appointed on August 2, 1922. Professor Jacob R. Schramm of the National Research Council is the American member. The subcommittee assumed supervision over the work of the Scientific Relations Section of the Institute in 1926, resulting in its adopting the title of the Subcommittee on Science and Bibliography.

It has issued a first edition of an *Index Bibliographicus*, containing a list of all periodical bibliography and bibliographic institutions, which was prepared by Marcel Godet of the subcommittee.

The incomplete realization of the idea embodied in the international convention of March 15, 1886, respecting the interchange of official, scientific and literary publications attracted the attention of the subcommittee, and as a result of the deliberations of a committee of experts at Geneva July 17-19, 1924, a series of resolutions was prepared for embodiment in a revision of the original convention.<sup>1</sup> In the end the Belgian Government assumed charge of securing further ratifications to the unrevised convention.

**Libraries.** As a result of meetings of a Committee of

<sup>1</sup> *Official Journal*, V, p. 1807; VI, p. 739, 1187, 1278, 1770.

Experts regarding the Coordination of Libraries, progress has been made in facilitating loans and exchanges between the libraries of different countries and the organization of machinery to direct intellectual workers to libraries containing the most suitable material for their studies. More than 400 libraries have expressed a willingness to cooperate.

**Bibliography.** The subcommittee in its early period considered proposals for an annual bibliography of publications in all branches of science, literature and art and this has been tentatively approved by the Council.<sup>1</sup> On closer examination, it was decided to divide this field into its constituent parts, due in some measure to the fact that various annual bibliographies or bibliographical summaries existed. The bibliography of biological science is thus taken care of. The Institute has summoned meetings of experts on the coordination of bibliography in economic sciences and linguistic bibliography.

**Research.** The Institute has interested itself in the facilitation of research work in the historical and social sciences. A proposition to translate scientific works from little known languages is being investigated.

**Preservation of Manuscripts.** A Committee of Experts has been studying the problem of the preservation of printed matter and manuscripts, especially with relation to the quality of print paper in use.

**Linguistic Terms.** An inquiry of considerable importance is being conducted into the standardization of linguistic terms, owing to the fact that the technical words of grammar are given various meanings, creating difficulty of comprehension for the student.

## ARTS AND LETTERS

The Subcommittee on Arts and Letters was established on July 28, 1925. Its first work was to draw up the general program for the activities of the corresponding section of the Institute. Since that time it has both assumed charge

<sup>1</sup> *Official Journal*, V, p 1536

of work originally undertaken by other subcommittees and developed its own field.

**Museums.** Under its direction, and with approval of the Council, there was established on September 3, 1926,<sup>1</sup> the International Museums Office as an organ of the Institute, which publishes a review and has embarked upon a considerable program. It is conducting an inquiry into the unification of museum catalogs and is evaluating their educational influence and the means for increasing it.

**Chalcography.** Under the subcommittee, a Committee of Representatives of Chalcographical Institutes reached an agreement in 1927 with regard to the exchange and sale of prints and their joint exhibition. Under this, joint exhibitions of proofs were held in Madrid, Paris and Rome in 1927 and in Birmingham, Brussels, Buenos Aires, Geneva, Liège and London in 1928.

**Casts.** In January, 1928, a meeting of Experts on Casts of Works of Art was held at Geneva in order to bring museums of casts and casting studios into cooperation. A handbook of these is to be drawn up and a list of the best molds prepared. The cooperation of official cast workshops in producing expensive or difficult casts is to be undertaken and joint exhibitions are to be held. Three such exhibitions covering the entire history of art are to be held in 1929. Belgium, France, Germany, Great Britain, Greece and Italy are cooperating in this program.

**Popular Arts.** The subcommittee organized a Congress of Popular Arts at Prague in October, 1928, and this was preceded by an International Exhibition of Popular Arts in Bern a few months earlier.

Publication of an international yearbook of the arts has been approved in principle.

**Motion Pictures.** The subcommittee has instructed the Institute to prepare a report on the motion picture as a form of art, and on its initiative the Assembly passed a resolution calling "the attention of Governments to the danger of cinematographic performances and broadcast-

<sup>1</sup> *Official Journal*, VII, p. 1287.

ing characterized by a spirit antagonistic to that of the League."

**Music.** A list of contemporary musical compositions performed or published is compiled periodically by the Institute.

Differences in the pitch of different musical instruments affects that great branch of art. The Committee of Experts has found the 1859 standard which was confirmed by an international conference at Vienna in 1885 still applicable and is considering means of completely maintaining it.

**Literary Works.** The international committee has referred to the national committees a proposal made by John Galsworthy of the subcommittee that translations of literary works be made, the Federation of P. E. N. Clubs selecting the works and making the translations.

### INTELLECTUAL RIGHTS

The Subcommittee on Intellectual Rights was established August 3, 1922.

**Scientific Property.** The subcommittee at the outset decided that the protection of scientific property and the right of the scientist to his invention should be the subject of a draft international convention based on the idea that scientific discovery should rank with artistic creation and technical invention, both of which are protected, the former by copyright and the latter by patents. While the invention of a new rubber heel may bring a fortune to the patentee, the scientist who discovers the process of vulcanizing or a formula for producing a special steel alloy is protected by no law with respect to the industrial exploitation of his discovery. The Fourth Assembly approved the principle of the plan and the collection of observations from the Governments throws light on practical means of carrying it out. A special Committee of Experts at Paris in December, 1927, prepared a revised draft of the scheme, which was laid before the Ninth Assembly<sup>1</sup> after approval by the Committee. The draft has been submitted to Governments for their opinion. The principle governing

<sup>1</sup> League of Nations, A. 21. 1928. XII.

the right is that "every scientific discovery open to material utilization entitles its author to remuneration from the users thereof," utilization being understood as "contributory to the production of a commercial commodity."

**Literary and Artistic Property.** The subcommittee, in cooperation with that on arts and letters, contributed to the revision at Rome on June 2, 1928, of the Bern convention for the protection of literary and artistic works, signed September 9, 1886, and revised at Berlin November 13, 1908. The subcommittee from the outset had worked to increase the number of parties to the convention. It had made an extensive study of the revision required, and at the international conference at Rome these were generally realized. The Ninth Assembly requested that investigations be made respecting the unification of the revised Rome convention and the copyright convention signed in 1910 at Buenos Aires by the American states and revised in Habana in 1928. This investigation involves a study of all national laws and measures for the protection of intellectual property.

The subcommittee examined the protection of professional titles, and a resolution for the consideration of Governments was prepared by it.<sup>1</sup>

**Status of International Organizations.** The subcommittee has launched an extensive study of the legal status of international associations and foundations. This is being continued in collaboration with the Committee of Experts for the Progressive Codification of International Law, and the results will be considered by the International Institute for the Unification of Private Law.

The conditions contributing to the smuggling and forgery of works of art and antiquity have been under extensive investigation.

**Archeological Research.** At its first meeting the subcommittee took up the question of coordinating archeological research and the protection of ancient monuments. The purposes in mind were the allocation of the exploring

<sup>1</sup> *Official Journal*, V, p. 1528.

field, the framing of a list of archeological sites not yet explored, aid in enabling explorers to benefit by each other's methods, and international rules for the preservation of archeological monuments.

**Circulation of Publications.** The Ninth Assembly recognized the importance of a resolution of the subcommittee respecting obstacles to the international circulation of scientific and technical publications for which favorable customs and postal arrangements should be made. The Institute has been instructed to propose a customs nomenclature by which such works should be exempt from customs duties. It has the benefit of suggestions from publishers in this connection.

**Statistics.** The subcommittee has given its approval to a report on the compilation of intellectual statistics submitted to the International Institute of Statistics at its plenary session, 1927-28, at Cairo.

### INSTRUCTION OF YOUTH

The Fifth Assembly decided that it was important that the youth of the entire world should be familiarized with the principles and work of the League of Nations and that the younger generation should be trained to consider international cooperation as the normal method of conducting world affairs. It instructed the Secretariat to investigate the means by which efforts to promote contact and to educate the youth of all countries in the ideals of world peace and solidarity may be further developed and coordinated and to submit a report.<sup>1</sup> The Sixth Assembly in 1925 regarded the report "as a first stage" and requested the continued collection of information. As a consequence, the Committee on Intellectual Cooperation in January, 1926, decided to appoint an expert subcommittee to examine the whole question and proposed to the Council that this should be formed of ten or twelve members, including three members of the committee. On

<sup>1</sup> The report is available in separate form as Documents A 10 and A. 10 (a). 1925. XII.

March 15<sup>1</sup> the Council instructed its president, after consulting the chairman of the Committee on Intellectual Cooperation, to appoint the members of the subcommittee, the primary qualification being experience in teaching.

The Subcommittee of Experts for the Instruction of Youth in the Aims of the League of Nations in two regular meetings and one limited meeting examined the material which had been gathered, in part from international associations, and which had been published for the Seventh Assembly.<sup>2</sup> Eventually a series of recommendations resulting from the study of all these suggestions was laid before the Eighth Assembly in what it called a remarkable report.<sup>3</sup> The subcommittee continues its work on the lines suggested by the Council report of September 2, 1927.<sup>4</sup>

The 1927 Assembly specifically approved the subcommittee's recommendations for creating League of Nations Educational Information Centers.<sup>5</sup>

**Member States to Act.** The Assembly approved the recommendations as a whole and instructed "the Secretary-General to communicate them to the Governments of the states Members of the League of Nations, requesting them, so far as may be possible in each particular case, to take the necessary measures to give effect" to them.

Section II of the report deals with the many possible methods of developing the spirit of international cooperation, which was generally defined from the point of view of the Assembly's 1924 resolution.<sup>6</sup>

Numerous practical methods of promoting direct and indirect contacts between young people of different countries are described and discussed.

Section I of the recommendations is devoted to instruction in schools and higher educational institutions, its con-

<sup>1</sup> *Official Journal*, VI, p. 569, 506.

<sup>2</sup> *Ibid.*, p. 1202; separately, A. 26. 1926. XII. A. 5.

<sup>3</sup> A. 26. 1927. XII. A. 3.

<sup>4</sup> *Official Journal*, VIII, p. 1110.

<sup>5</sup> *How to Make the League of Nations Known and to Develop the Spirit of International Cooperation*, p. 20 (C. 515. M. 174. 1927. XII. A. 9).

<sup>6</sup> *Ibid.*, p. 17.

ditions, methods and mechanism, including books and other material. Special emphasis is given to providing concrete aids to teaching. The recommendations include plans for both class-room and outside realization. "Instruction should begin in the primary school and should be continued to as late a stage as possible in the general education of the pupil," girls as well as boys. Special courses for teachers are suggested and definite types of literature and material for visual instruction are indicated, in addition to reading matter for children of various ages.

Institutions of university grade may create special chairs and in any case it is desirable that they give one or more special courses on the League of Nations and international relations in general. Encouragement of selection of League problems as subjects of theses is desirable and the study of international law should be made compulsory for all law students. Methods useful for voluntary associations are listed in the recommendations.

"Those in charge of educational institutions should be asked to use their influence to insure that text-books in general should not be written in such a way as to conflict with the spirit of mutual conciliation and cooperation," says the report. "In this respect, history text-books should be the subject of particular care. It is desirable that, in every country, incitements to hatred of the foreigner should be eliminated and every effort made to arrive at a better comprehension of what one nation owes to another."

A special reference book giving an account of the work of the League of Nations and the International Labor Organization for the use of teachers is being prepared, which will probably assume a biennial form.

Several countries, among them Canada, Denmark, France, the Netherlands and the South African Union, have introduced the teaching recommended into their school curricula. The Ninth Assembly noted "with satisfaction the readiness with which teachers in secondary and elementary schools have answered the appeal for cooperation



addressed to them, and welcomes the organization of courses of study with a view to their special requirements, not only on a national basis by various committees, but also on an international basis at Geneva and elsewhere."

### 5. Suppression of Opium Traffic

Art. 23 of the Covenant provides that, "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League (c) will intrust the League with the general supervision over the execution of agreements with regard to . . . the traffic in opium and other dangerous drugs."

An international opium commission met at Shanghai in 1909 and a conference was convened at The Hague in 1912, resulting in a convention for the international control of opium and similar drugs. Additional conferences were convened in 1913 and 1914 with the purpose of bringing the 1912 convention into force.<sup>1</sup> This had not taken place at the outbreak of the world war. With a view to making the convention effective, the signatories of the treaties of peace by Art. 295 of Versailles and corresponding articles of the other treaties agreed "that ratification of the present treaty should, in the case of powers which have not yet ratified the opium convention, be deemed in all respects equivalent to the ratification of that convention."

By the opium convention the Netherlands Government was designated as the depository of ratifications and the collector of data respecting the traffic. This Government requested the League,<sup>2</sup> in view of Art. 23 of the Covenant, to assume the duties placed upon it by the convention with regard to the collection of data and dealing with disputes. This proposal was accepted by the First Assembly. The task of securing ratifications was intrusted to the League. By April 1, 1928, the convention had been ratified by all

<sup>1</sup> *Treaty Series*, VIII, p. 188.

<sup>2</sup> *Records of the First Assembly, Meetings of Committees*, I, p. 181.

states except Afghanistan, Argentine Republic, Lithuania, Paraguay, Persia, Russia and Turkey, which had taken an obligation to ratify.<sup>1</sup>

### INTERNATIONAL ENGAGEMENTS

Continuing from this basis the League prepared and held two opium conferences<sup>2</sup> in 1924-25, the conventions of which became in 1928 the starting point of its work in this field.

The Second Conference, convened for carrying out the provisions of the 1912 Convention for limitation of the manufacture and production of opium and its derivatives to the amount required for medicinal and scientific purposes, sat from November 17, 1924, to February 19, 1925, and was attended by representatives of 41 Governments. The United States delegation withdrew on February 6, 1925, on the ground that "the conference is unable to accomplish" strict limitation of raw opium and coca leaves to medical and scientific purposes.

The convention of the Second Opium Conference, signed at Geneva, February 19, 1925, came into force September 25, 1928.<sup>3</sup> It is in replacement of Chaps. I, III and V of the 1912 convention. The 1925 conventions replace the 1912 convention and "complete and strengthen its provisions."

The convention of 1925 contains seven chapters. Chap. I gives definitions of raw opium, medicinal opium, morphine, diacetylmorphine, coca leaf, crude cocaine, cocaine, ecgonine and Indian hemp; five definitions being addi-

<sup>1</sup> Treaty of peace, Lausanne, July 24, 1923, Art. 100, 9 (*Treaty Series*, XXVIII, p. 87).

<sup>2</sup> For full account see *The International Opium Conferences*, by Raymond L. Buell (World Peace Foundation Pamphlets, VIII, Nos. 2-3).

<sup>3</sup> *Official Journal*, VI, p. 689; Reg. No. 1845. Ratifications: Australia, Austria, Belgium, British Empire, Bulgaria, Canada, Czechoslovakia, France, India, Japan, Latvia, Luxemburg, the Netherlands (including Netherlands Indies, Surinam and Curaçao), New Zealand, Poland and Free City of Danzig, Portugal, Spain, Sudan, Union of South Africa. Accessions: State of Sarawak, Bahamas, Free City of Danzig, Dominican Republic, Egypt, Finland, San Marino, Monaco, New Hebrides, Rumania, Salvador. Subject to ratification: Bolivia, Italy, Venezuela.

tional to those of 1912. Chap. II relates to internal control, the parties undertaking to enact laws and regulations for the effective control of production, distribution and export of raw opium and to limit the localities of export or import of raw opium or coca leaves. Chap. III, internal control of manufactured drugs, applies to the drugs listed above, preparations of them, and any other narcotic drug which is found liable to similar abuse by the Health Committee of the League in consultation with the Comité international d'Hygiène publique.<sup>1</sup> The contractants agree to enact effective legislation to "limit exclusively to medical and scientific purposes the manufacture, import, sale, distribution, export and use" of the specified substances. Control shall be exercised over all concerned with them by a license system. Chap. IV applies the principles of the convention to Indian hemp. Chap. V, control of international trade, obligates each contracting party to require separate import or export "authorization to be obtained for each importation [or exportation] of any of the substances" specified. Full details to render this system effective are agreed to, covering such matters as free port handling, bonded warehousing, passage through third countries, etc.

Chap. VI establishes a Permanent Central Board of eight persons, not holding offices dependent on their Governments. The board was appointed by the Council in December, 1928, from persons commanding general confidence and possessing a knowledge of the drug situation in its various phases. "The United States<sup>2</sup> and Germany shall be invited each to nominate one person to participate in these appointments." "The full technical independence of the board in carrying out its duties" is to be assured. Before December 31 each contractant is to send to the board estimates of its requirements of drugs for the following year. An annual report is to be made after the close of

<sup>1</sup> Di'audide, benzoyl-morphine and the morphine esters generally have been so included, and also products under the names of eucodal and dicodide

<sup>2</sup> Declined to nominate (note of October 1, 1928), but will "endeavor to furnish such information as the Permanent Central Board may request."

each year giving statistics of production, manufacture, stocks on hand, consumption and confiscations, the report to be communicated to contracting parties. Imports and exports are to be reported quarterly. The statistics are to be furnished in such form as "to enable the amounts required in the country for general medical and scientific purposes to be ascertained." Other statistics are to be forwarded "in order to complete the information of the board as to the disposal of the world's supply of raw opium."

If the board concludes from the information at its disposal that excessive quantities of any drug are accumulating in any country or the latter is in danger of becoming a center of illicit traffic, the board may ask for explanations through the Secretary-General of the League. If an explanation is unsatisfactory or none is forthcoming, the board has the right to call the matter to the attention of all contracting Governments and of the Council, as well as to recommend the cessation of exports to that country. The right of a hearing is given to the offending country. The board has the right to publish a report on the matter for communication to all contracting parties. The board may take the same measures of notification to states not parties to the convention. It is the friendly right of contractants to draw the attention of the board to any matter within its competence which appears to require investigation. The board will make an annual report, which will be published.

Chap. VII provides for penal legislation to be passed by the contractants, for legislation to assist the board and for the mutual exchange of all pertinent legislation. Provisions for settling disputes over the text and the customary stipulations respecting accession, ratification, etc., complete the convention.

The protocol <sup>1</sup> consists of an agreement to prevent within

<sup>1</sup> Ratifications: Australia, British Empire, Bulgaria, Canada, Czechoslovakia, India, Japan, Latvia, Luxemburg, the Netherlands (including Netherlands Indies, Surinam and Curaçao), New Zealand, Portugal, Sudan, Union of South Africa. Accessions: State of Sarawak, Bahamas, Egypt, Finland, Rumania, Salvador. Subject to ratification: Bolivia, Venezuela.

five years the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in territories where its use is temporarily authorized.

The final act expresses the hope that the convention be applied in the colonies, possessions, protectorates and territories of the contractants. It urges consideration of prohibiting ships from carrying drugs without export authorization. Cooperation of national authorities in the suppression of illicit traffic and the requirement of sureties from licensed dealers are recommended.

#### FAR EASTERN CONTROL

The First Opium Conference, held at Geneva, November 3, 1924, to February 11, 1925, between the representatives of the British Empire, China, France, India, Japan, Netherlands, Portugal and Siam, produced an agreement, a protocol and a final act with the purpose of bringing about "the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium" in Far Eastern possessions and territories and "of taking all possible steps for achieving the suppression of the use of opium for smoking."

The agreement,<sup>1</sup> which came into force July 28, 1926, makes the importation, sale and distribution of opium a state monopoly, and also the making of the prepared product as soon as circumstances permit. Retail sale by licensed persons only is stipulated, while the system of such sale by salaried persons is to be tried. Sales to minors are prohibited and their presence in smoking divans interdicted. Private dealing in "dross" is prohibited. The export of import opium is to cease, and transit is placed strictly under control. Instruction to discourage the use of prepared opium is advocated. Legislative measures to render illegitimate transactions punishable are contemplated. All obtainable information as to the number of

<sup>1</sup> *Treaty Series*, LI, p. 337. China did not sign. The other participants in the conference have all ratified.

opium smokers is to be reported to the League Secretariat for publication. A further conference is to take place not later than 1929.

The protocol promises the initiation of measures to reduce the use of prepared opium so that it "may be completely suppressed within a period of not more than 15 years." This period will begin when a commission appointed by the League Council determines that measures to prevent the exportation of raw opium make possible the reduction of consumption. If failure to accomplish this should appear, the fact may be brought before the Council; if the decision should result in any state denouncing the protocol, a fresh conference will be held at once. Coordination of effort to effect the complete and final suppression of the use of prepared opium is provided for.

The Assembly recommended the Council to appoint a commission of three to inquire into the situation in Far Eastern countries as regards the use of opium prepared for smoking, measures taken by Governments to give effect to the Hague convention of 1912 and the Geneva agreement, the nature and extent of the illicit traffic in the Far East, the difficulties which it causes in the fulfilment of international obligations and possible remedies. The Assembly expressed the hope that the American Government would permit the commission to visit the Philippines and the United States has agreed to cooperate in this matter.

#### DUTIES OF THE COMMITTEE

The Advisory Committee on Traffic in Opium and Other Dangerous Drugs was appointed by the Council at the request of the Assembly on February 21, 1921. It consists of representatives of states chosen by their Governments and three assessors named by the Council. The object is to commit the Governments chiefly concerned either as producers or consumers in the decisions constantly taken. The following 14 countries are represented

on the committee: The Netherlands, Great Britain, France, India, Italy, Japan, China, Siam, Germany, Bolivia, United States, Serb-Croat-Slovene State, Portugal and Switzerland.

Development of the committee's functions has been an arduous task. In 1921, it issued a questionnaire to all Governments to bring out the extent of the world's needs of manufactured drugs for medicinal and scientific use. This questionnaire was sent by the League directly to the United States Government, but when a reply was not received, the request was then forwarded to Washington by the Netherlands Government which had been intrusted with this duty under the 1912 Convention. The United States had a representative at the fourth session of the committee, in an "unofficial and consultative capacity." Under public resolution No. 96, 67th Cong., approved March 2, 1923, which requested the President "to urge upon the Governments of certain nations the immediate necessity of limiting the production of habit-forming drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes," the United States accredited a delegation to the fifth session of the committee and has since participated in its work.

For several years the work of the committee explored the field for types of information that it required, and new phases of the problem, such as the need to study the unification of statistics. The committee has also developed important systems for information and control of illicit traffic.

An exchange of information in regard to drug seizures is in full effect and results in an annual publication of all seizures reported. At first the reports showed an increase in illicit traffic, but the recent tendency has been for the absolute amounts to show an annual decrease.

A survey of national laws, including penalties inflicted for traffic in narcotics, has been made.

A system of import and export certificates, which has

the combined effect of making official records of all licit traffic in drugs and of controlling the traffic, has been in force for several years and by April, 1928, was in operation in 39 states, 39 British colonies, five mandates and six other colonies.<sup>1</sup>

The question of the world's legitimate requirements for drugs has been explored in order to afford a basis for judging the extent of the illicit traffic and providing means to abolish it. A joint subcommittee of the Opium and Health Committees of the League reached the conclusion that the requirement could be fixed at 600 milligrams per head per year, calculated in raw opium with 10% morphine. The Second Opium Conference adopted the Health Committee's revision of 450 milligrams, but pointed out that this made inadequate allowance for the legitimate consumption of morphine, on which adequate information was not available.

#### PRODUCTION IN PERSIA

Early in the work of the committee, it was found that a large amount of opium smuggling originated in the Persian Gulf and involved opium produced in Persia. In the spring of 1926, a Commission of Inquiry on Opium Production in Persia paid a visit to that country to determine the possibility of substituting other crops for the very profitable opium poppy. The American Bureau of Social Hygiene contributed 150,000 gold francs toward the expenses of the commission. The report made definite suggestions for the replacement of the opium poppy by other crops. The Persian Government, before the Council on March 11, 1927,<sup>2</sup> was prepared to accept the recommendations in principle, subject to reconsideration after three years. The agricultural problem involved not only substituting other crops for opium but providing irrigation and transport. The Government proposed to exempt from taxation land diverted from opium cultivation and to grant

<sup>1</sup> *Official Journal*, IX, p. 1097.

<sup>2</sup> *Ibid.*, VIII, p. 392.



loans to cultivators reducing their poppy crop. The goodwill of Persia was commended by the Eighth Assembly in 1927.

#### ADMINISTRATIVE CONTROL

A representative of Italy sat on the committee for the first time during its ninth session in 1927. He took the position of a country which is solely concerned with reducing the menace to its population resulting from the overproduction of drugs and which itself produces no opium. He asked for an extraordinary meeting of the committee to study both measures for the limitation and rationing of drug manufacture and the question of smuggling, its causes and measures for its suppression. The 10th session of the committee, September 28–October 8, 1927, was devoted to this program. M. Cavazzoni presented for consideration a model code for the administrative control of the drug traffic. This draft model code has been submitted to Governments for their opinions concerning it.

### 6. Women and Children

#### TRAFFIC IN WOMEN

Art. 23 of the Covenant provides that, "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . (c) will intrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children."

**Conferences.** A conference was held at Paris, July 15–25, 1902, on this subject and a convention signed there on May 18, 1904, to which the United States is a party. A further conference, resulting in a revised convention, was held at Paris, April 18–May 4, 1910. A preliminary conference looking toward a second revision of the 1904 convention at a later date was held at Brussels, October 21–24, 1913. The League's first effort was to bring about this contemplated revision and so to extend the system of pro-

tection along lines that experience had shown to be desirable and feasible. The International Conference on White Slave Traffic was held at Geneva, June 30–July 5, 1921, with 35 states participating.

The international convention for the suppression of the traffic in women and children,<sup>1</sup> opened for signature September 30, 1921, was registered by the Secretariat of the League of Nations on June 15, 1922. By Art. 1 the parties agree to ratify or adhere to the agreement of May 18, 1904, and the convention of May 4, 1910.

The Governments agreed in 1904 to establish or designate an authority to centralize "all information concerning the procurement of women or girls with a view to their debauchery in a foreign country"; to seek to determine the identity of procurers engaged in criminal traffic; to receive declarations of women and girls of foreign nationality surrendered to prostitution and to take measures for their repatriation.

By the 1910 convention states undertake to punish any person debauching either a woman or girl, even with her consent, with a view to commercializing her, though the various acts are accomplished in different countries; to communicate their respective laws to each other and to provide special means of extraditing culprits under the convention. Persons convicted of offenses connected with the white slave traffic are to be listed and the information circulated to contracting Governments. The 1921 convention reiterates these provisions.

The parties to the 1921 convention agree to take appropriate measures for guarding the licensing and supervision of employment agencies and offices so as to insure the protection of women and children seeking employment in another country. In connection with immigration and emigration, they undertake to adopt such measures as are required to check the traffic in women and children and to set up special means of protection at points of departure and arrival.

<sup>1</sup> *Treaty Series*, IX, p. 415.

*Advisory Committee's Work*

The final act<sup>1</sup> of the conference consisted of 15 recommendations directed by the 35 participating Governments to the Council of the League and substantially became the initial program of the committee suggested by it.

On January 14, 1922, the Council constituted the Advisory Committee on the Traffic in Women and Children, which was organized so as to comprise Government representatives of 10 states, including the United States, and five delegates of associations. The committee was reorganized on December 10, 1924,<sup>2</sup> owing to the relationship established by the League with the International Association for the Promotion of Child Welfare. The reorganized committee bears the title of "Advisory Commission for the Protection and Welfare of Children and Young People."

This committee consists of two sections, with separate assessors, Government representatives having the right to a seat in each. The first section is the "Committee on Traffic in Women and Children," and the second the "Child Welfare Committee." The two committees hold their regular sessions at the same time, the president having the right to convoke the two committees in plenary session for the discussion of any question.

**Annual Reports.** Annual reports are received from states parties to the existing conventions, including the United States. They deliver their reports for a given year in the first half of the succeeding year, and reply to a questionnaire<sup>3</sup> in which states are requested to report all laws and regulations in force, the central authority charged with executing them, the degree of supervision of emigration and immigration with relation to traffic in and protection of women, and for a statement of their attitude toward the maintenance of licensed houses. Additional information is

<sup>1</sup> *Records of the International Conference on Traffic in Women and Children*, Geneva, 1921, p. 133 (C. 484. M. 339. 1921. IV).

<sup>2</sup> *Official Journal*, VI, p. 135, 221.

<sup>3</sup> *Ibid.*, V, p. 942.

furnished in periodical statements by five international associations represented by assessors on the committee.

**Investigations.** The American Social Hygiene Association has prepared a collection of the laws and regulations of all countries in respect to the traffic in women, which has been submitted to Governments.

The Ninth Assembly supported the committee's request that "the Governments of all those countries which still retain the licensed-house system will investigate the question as soon as possible." The committee is collecting the laws in force in countries where the system is illegal.

Extensive investigations have brought the committee to favor the general use of women police.

The Council on June 5, 1928, indorsed proposals of the Committee regarding studies of the laws and penalties relating to *souteneurs*, i.e., persons living on the immoral earnings of women.

Many other phases of the traffic are also under study.

### *Methods of Traffickers*

At the request of the Advisory Committee the Council on July 7, 1923, appointed a committee to conduct an international investigation into the extent and scope of the traffic in women. Miss Grace Abbott, the American representative on the committee, who was responsible for the suggestion, later informed the Secretary-General that, as anticipated, an American private organization, the Bureau of Social Hygiene, Inc., would provide \$75,000 for the investigation.

In February, 1927, the Special Body of Experts drew up and unanimously adopted a general report on the results of its two years' investigation, which had taken place under the direction of Bascom Johnson (American). The first source of information was official. Valuable information had been obtained by means of the replies sent by Governments in answer to the specially framed questionnaire; and much other valuable information had been given to the investigators on the spot in conversation

with Government officials and others. The other main source of information was persons connected with this traffic. No fewer than 6,500 persons were interviewed, about 5,000 of whom were connected with commercialized prostitution.

The report <sup>1</sup> was presented to the Council <sup>2</sup> on March 9, 1927, in two parts, the first giving a concise account of the facts disclosed by the inquiry and a statement of the conclusions based upon them; the second a more detailed statement of evidence derived from various sources and arranged according to the 28 countries and 112 cities visited. The first part was published immediately, while the detailed reports on countries were sent to the Governments for their observations. These were examined by the experts in November and the second part of the report as then revised by them was published. The Ninth Assembly indorsed a proposal that the inquiry should be continued in other countries.

#### CHILD WELFARE COMMITTEE

The International Association for the Promotion of Child Welfare, on its own application, was placed under the direction of the League by resolution of the Council in March, 1924, at which time the Council decided that the work hitherto carried out by the association should in the future be intrusted to the Secretariat, subject to ratification by the Assembly. The Fifth Assembly ratified this decision and also indorsed, and invited states Members of the League to be guided by, the principles of the "Declaration of Geneva," which reads:

By the present Declaration of the Rights of the Child, commonly known as the Declaration of Geneva, men and women of all nations, recognizing that mankind owes to the child the best that it has to give, declare and accept it as their duty that, beyond and above all considerations of race, nationality or creed:

<sup>1</sup> *Report of the Special Body of Experts on Traffic in Women and Children* (C. 52. M. 52. 1927. IV. 2).

<sup>2</sup> *Official Journal*, VIII, p. 378.

I. The child must be given the means requisite for its normal development, both materially and spiritually;

II. The child that is hungry must be fed; the child that is sick must be helped; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succored;

III. The child must be the first to receive relief in times of distress;

IV. The child must be put in a position to earn a livelihood and must be protected against every form of exploitation;

V. The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow men.

The original reorganization of the advisory Committee in 1924<sup>1</sup> left the new work to a subcommittee, called the Committee for the Protection of Children which assumed separate form in 1926. For the new duties the Council added a group of new assessors and also a representative of Belgium to the Government representatives. In addition<sup>2</sup> it authorized five organizations to be represented as a matter of interest: International Council of Women, the International Suffrage Alliance, the International Federation of University Women, the Women's International League for Peace and Freedom and the World's Young Women's Christian Association.

**Program.** The Fifth Assembly expressed the opinion that the League could most usefully concern itself with the study of those problems on which the comparison of the methods and experience of different countries, consultation and exchange of views between the officials or experts of different countries, and international cooperation might be likely to assist the Governments in dealing with such problems. In 1926 the committee developed an elaborate general program. The Council, commenting on the limits of the committee's competence, adopted a report<sup>3</sup> in which it said: "Child welfare is not primarily a matter for international action and, as the resolution of the Assembly indicated, the purposes which the League can serve in this direction are limited."

<sup>1</sup> *Official Journal*, VI, p. 135, 221.

<sup>2</sup> *Ibid.*, p. 463.

<sup>3</sup> *Ibid.*, VII, p. 865.

Reconsideration of the program resulted in a Liaison Subcommittee to cooperate with other League committees. The Ninth Assembly emphasized the value of its preparation of preliminary draft conventions on

The repatriation of minors who have escaped from the authority of their parents or guardians;

The relief of minors of foreign nationality. This draft would be in the nature of a model scheme, with a view to facilitating subsequent work on the question and for application between interested countries.

The execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support who have deserted them and gone abroad.

The committee helped organize and takes a particular interest in the International Cinematographic Institute, especially with respect to the creation of offices for control or preliminary censorship in each country and the adoption of hygiene and sanitary measures.

**Prevention of Blindness.** In 1928 L. W. Carris, director of the American Association for the Prevention of Blindness, laid before the committee a scheme for the creation of an international organization to deal with this subject.

**Juvenile Courts.** An inquiry into the scope, composition and practice of juvenile courts conducted by the International Prison Commission is coordinated with the committee's work.

**Dangers to Children.** The American Social Hygiene Association has placed \$5,000 at the disposition of the League for child welfare work. The Friends of the League of Nations, an American society with headquarters at Richmond, Va., has contributed \$1,500 to the League and these amounts are to be used in a study of environment in relation to moral and social dangers to children in Canada, Czechoslovakia, Denmark, France, Germany, Great Britain, Italy and the United States.

**Illegitimacy.** A report has been sent to all states on a questionnaire bearing on the rights and obligations of parents toward illegitimate children, affiliation proceedings, the legitimization of illegitimate children, the mainte-

nance, inheritance or succession rights of illegitimate children, the official guardianship and the moral and material protection of illegitimate children.<sup>1</sup>

**Legal Age of Marriage and Consent.** The Advisory Commission as a whole has studied these questions. In 1927 it expressed the opinion that the fixing of too early an age of consent was likely to encourage the traffic in women. It accordingly requested the Council to draw the attention of Governments to the necessity of fixing this age sufficiently late to insure the effective protection of children and young people. In 1928 it concluded that it was desirable that the legal age of marriage should be high enough to provide full safeguards as regards the health both of the married persons themselves and of the children of the marriage. It was nevertheless of the opinion that no single age limit could be made applicable to all countries. The commission recommended that Governments should examine the age of marriage fixed in their respective laws with relation to physical and moral welfare.

### OBSCENE PUBLICATIONS

The International Conference for the Suppression of the Circulation of and Traffic in Obscene Publications met, by the invitation of the Government of the French Republic, at Geneva, under the auspices of the League of Nations, from August 31–September 12, 1923, in pursuance of a resolution of the Third Assembly on September 28, 1922.<sup>2</sup> In conformity with the resolution, the draft convention established by the international conference held at Paris in 1910, together with a questionnaire, was communicated on November 1, 1922, to all states. The replies to this questionnaire were transmitted by the Secretariat to all states and submitted to the conference.

The international convention<sup>3</sup> for suppression of the circulation of and traffic in obscene publications, signed at

<sup>1</sup> *Official Journal*, VIII, p. 915.

<sup>2</sup> *Resolutions and Recommendations* . . . 1922, p. 34.

<sup>3</sup> *Treaty Series*, XXVII, p. 214.



Geneva September 12, 1923, by 43 states entered into force on August 7, 1924. It is additional to the arrangement signed at Paris, May 4, 1910, which provides that the contracting parties are to designate an authority:

- (1) To centralize information to aid in repressing infringements of their municipal laws as to obscene matter, "the constitutive elements of which bear an international character;"
- (2) To supply all information tending to check the importation and to expedite the seizure of such matter;
- (3) To communicate to each other all laws applicable to the subject.

The authorities of the states are empowered to correspond directly.

By the 1923 convention the parties agree to take measures to define as punishable offenses, which they would seek to suppress, the production, possession, distribution, exhibition, importation and exportation of obscene matters or things. Commerce in such articles and advertising them are likewise punishable offenses. Such offenses are brought within the jurisdiction of the courts of the country where the offense or any of its elements are committed. If the laws permit, an offense committed abroad is punishable in the offender's national courts. States undertake to improve their legislation so as to provide means of carrying out these provisions and those relating to the rendition of offenders, as well as to make possible the seizure, detention or destruction of offending materials.

By Art. 16 of the convention the Council is called upon to consider the desirability of summoning a conference at the end of each period of five years to discuss revision. This point had been referred to the Traffic in Women Committee, which at its 1928 session reached the conclusion that the time had not yet come for a further conference. That committee is collecting annually reports on legislation in force.

### 7. Refugees and Relief of Distress

The refugee problem has been before the League since 1920. It first presented itself as a task of repatriating or caring for hundreds of thousands of persons whom the war had torn from their own homes and driven into other countries. The influx of these disorganized and destitute masses of humanity into several countries created a special problem. Dr. Fridtjof Nansen, as High Commissioner of the League, met those conditions with aid provided by various states, and now for several years has been working on the second phase of the problem, which concerns improving the anomalous status of the refugees, their employment and settlement.

The first great humanitarian accomplishment was the repatriation of 430,000 prisoners of war belonging to 26 different nations. They were returned to their homes at an average cost of less than \$5.00 per person. The wholesale evacuation of Greeks and others from Asia Minor had thrown 1,500,000 refugees into Greece. Destitution and pestilence accompanied them and the necessity for rehabilitation resulted in coordination of relief measures, finally<sup>1</sup> taking the form of the Greek Refugee Settlement Scheme, and similarly the Bulgarian refugee settlement of 200,000 persons. Over 1,500,000 Russian refugees, scattered throughout Europe, the Near and Far East, required much attention, and particularly assistance in establishing their identity for traveling purposes. The same problem existed for 300,000 Armenian refugees.

In June, 1924, the refugee problem had resolved itself essentially into the placement in useful employment of 200,000 Russian and 200,000 Armenian refugees. The Director of the International Labor Office was approached and recognized that the questions of employment and labor emigration fell within the scope of the Organization. Some 50 Governments accept the identity certificates for

<sup>1</sup> See p. 64.

Russians and 35 for Armenians,<sup>1</sup> and many thousands have been settled in countries where labor is scarce.

In 1928 other groups of unfortunates were brought within the scope of this task. There were 15,000 Assyrians and Assyro-Chaldeans in southern Russia who were unable to establish themselves and wished for passports and employment elsewhere. In Iraq and Syria there were respectively 12,000 and 1,500 Assyrians who wished to be settled as colonists in Syria and Lebanon and Iraq under the direct protection of the mandatory states. Refugees of Turkish nationality, proscribed by their Government, were living in various countries of Europe.

The 1928 Assembly called attention to the fact that a complete solution of the remaining problem would only be realized by the repatriation of the refugees in their original countries or their naturalization in the countries giving them shelter. Efforts are being made toward this end.

The 1928 Assembly finally decided that the establishment of Armenian refugees in the Republic of Erivan<sup>2</sup> shall be carried on under the auspices of the League. This scheme will cost about \$7,500,000 for irrigation and other purposes.<sup>3</sup> Seventeen Governments have offered funds and Armenian organizations have contributed \$500,000.

#### GREEK REFUGEE SETTLEMENT COMMISSION

After the retreat of the Greek army from Turkish territory in 1922, hundreds of thousands of the inhabitants sought refuge in Greece, some reaching there by their own efforts and others being concentrated and transported by Fridtjof Nansen, High Commissioner of the League for Refugees. The treaty of Lausanne required members of the Greek Orthodox Church established in Turkey to emigrate to Greece. Ultimately a million and a half persons

<sup>1</sup> See p. 79.

<sup>2</sup> The Armenian Socialist Soviet Republic is a part of the Transcaucasian Socialist Federal Soviet Republic, and includes portions of the former Russian provinces of Erivan, Alexandropol and Elizavetpol.

<sup>3</sup> *Scheme for the Settlement of Armenian Refugees. General Survey and Principal Documents.* (C. 699. M. 264. 1926. IV. 1927. IV. 1.)

were refugees there.<sup>1</sup> The problem involved in caring for them became very serious for the country. They represented a fifth of its population; they were largely without funds; they had no means of support; and Greece itself was going through an economic and political crisis due to 12 years of intermittent war.

American and British charitable organizations did much for the refugees in the first months, but the acuteness of the situation was emphasized by a note of March 31, 1923, from the American Secretary of State announcing that the American Red Cross would discontinue its emergency work on June 30 for fully 500,000 persons.

The Council appointed a Greek Committee on February 2, 1923,<sup>2</sup> and a scheme for refugee settlement was reported by the Financial Committee after investigations on the ground. On September 29, 1923, a Greek representative signed a protocol approved by the Council, which established the Greek Refugee Settlement Commission. This and the accompanying statute were re-enacted in revised form on September 19, 1924.<sup>3</sup>

While a long-term loan was an essential condition for permanent solution of the problem, the unstable Greek political situation in 1923 made any loan uncertain. The Financial Committee of the League limited the possible loan to a maximum of £6,000,000 (about \$30,000,000) three-fifths of the required amount. Political instability, however, rendered it inadvisable to proceed with even that flotation. Realizing the critical need of aid, the Bank of England and the Bank of Greece agreed to advance £1,000,000 if an independent refugee settlement commission as planned were established. It was in presence of that offer that the signing of the 1923 protocol took place.

The commission, of which Henry Morgenthau, former

<sup>1</sup> See illustrated volume, *Greek Refugee Settlement* (1926. II. 32).

<sup>2</sup> *Official Journal*, IV, p. 234.

<sup>3</sup> *Treaty Series*, XXX, p. 413; *Official Journal*, V, p. 1558; *Monthly Summary*, IV, Sup., p. 26. The additional act was ratified by Greece on December 4, 1924. The declaration relating to the modifications made to the protocol by the additional act is in *Treaty Series*, XXX, p. 421.

American ambassador at Constantinople, was chairman,<sup>1</sup> first met at Salonika on November 11, 1923. Equipped with funds and with the settlement work already under way, the commission's activities brought the first £1,000,000 near exhaustion by May, 1924. A second advance of £1,000,000 by the Banks of England and Greece and a further £1,000,000 from the Bank of Greece and the Greek Government insured the progress of the work till 1925. Meantime, political stability had been established in Greece.

The acceptance of the revised protocol in September, 1924, opened the way to put the undertaking upon the permanent basis of a long-term international loan.<sup>2</sup> This reconstruction task differed in essential respects from the Austrian and Hungarian plans. Greek finances were not in themselves at issue, the Government requiring no aid for its normal operations. The scheme, yielding £10,000,000 (\$50,000,000) in a long-term loan floated in December, 1924, provided for governmental guaranties, but it was adequately secured as well by title to land transferred by the Greek Government to the commission, by the improvements being made on the land and by the settlers' taxes, mortgages and rents. The loan is intrinsically productive, and the scheme itself is primarily a huge development project, largely in Macedonia which was formerly a territory of deserted plains and uncultivated fields.

By the end of 1928 the commission had spent nearly £8,000,000 (\$40,000,000) on agricultural settlement and more than £1,000,000 (\$5,000,000) on urban settlement. It had settled more than 143,000 families on the land and 28,000 in urban districts. Over 8,000,000 stremmas (1,976,800 acres) of land<sup>3</sup> had been apportioned, 76,000 houses were built and 7,000 under construction. Since 1923 the area under cultivation almost doubled; the total

<sup>1</sup> Succeeded by Charles P. Howland and then by Charles B. Eddy.

<sup>2</sup> For loan agreements, see p. 66.

<sup>3</sup> See decree, *Official Journal*, VII, p. 1333.

wheat crop rose from 600,000 tons in 1922 to over 900,000 tons in the last two harvests. The output of tobacco has been doubled by refugees. An additional \$12,167,000 from the United States is expected to complete the work.

### BULGARIAN REFUGEES

On June 10, 1926, the Council considered a request from the Bulgarian Government<sup>1</sup> for the League's assistance in carrying out a scheme of settlement for Bulgarian refugees. The Financial Committee stated, in its report,<sup>2</sup> that the Bulgarian Government had since 1913 had to receive about 52,000 families, representing roughly 200,000 persons. Thirty thousand refugees had been or could be established by the Government, which had spent 160,000,000 leva on general settlement work. There remained about 60,000 workers to be settled on the land, that is to say, some 33,000 families. This settlement would present great advantages from the point of view of Bulgaria's internal politics and external relations and also add to the economic resources of the country. The committee submitted that a loan of a net yield equivalent to £2,250,000 (\$11,250,000) would be sufficient.

The product of the loan was paid into an account independently controlled by the League commissioner, who only supervises the expenditure. Assistance is limited to Bulgarian citizens. The Bulgarian Government came to an agreement with the bond-holders of prewar loans, made arrangements in respect of previous liens, and brought the statutes of the National Bank into conformity with the best principles of central banking. Revenues were assigned for the loan service and for this purpose an arrangement was made with the reparation authorities.

A draft protocol was approved by the Council and signed by Bulgaria on September 8, 1926.<sup>3</sup> This instru-

<sup>1</sup> *Official Journal*, VII, p. 1002. All pertinent documents are in "Scheme for the Settlement of Bulgarian Refugees. General Description and Principal Documents" (1926. II. 53).

<sup>2</sup> *Official Journal*, VII, p. 920.

<sup>3</sup> *Ibid.*, p. 1343.

ment provides for the appointment by the Council of a commissioner who will report to the Council at least every three months, control the proceeds of the loan and approve all plans of settlement. He is free to refuse to release sums drawn from the loan, if he is not sure that the monies previously released have been spent as authorized by him. The Bulgarian Government undertakes to centralize all services dealing with refugees. For the settlement work, it undertakes to provide at least 132,000 hectares of land suitable for agriculture, the character and situation of which must be approved by the commissioner. The loan was issued December 24, 1926.

The 1928 earthquake did much damage, but about 30,000 families had been furnished with land by the end of 1928. The remaining 3,000 will be established on land reclaimed for cultivation by marsh drainage and flood protection works. More than 2,000 houses had been built and large quantities of equipment and draft animals distributed. Considerable progress had been made in eradicating malaria with the aid of the League Health Organization and the Rockefeller Foundation.

#### INTERNATIONAL RELIEF

Senator Giovanni Circolo, president of the Italian Red Cross, proposed to the League the organization of an international federation for mutual assistance in the relief of peoples overtaken by disaster. The 1924 Assembly requested the Council to appoint a Preparatory Committee to determine the exact scope of the proposed international union's activities, the needs it would be designed to meet and the contributions required from each state.<sup>1</sup> The Preparatory Committee was named by the Council on December 11, 1924.<sup>2</sup> A draft statute was submitted to Governments, revised in accordance with their suggestions,<sup>3</sup>

<sup>1</sup> *Resolutions and Recommendations* . . . 1924, p. 41.

<sup>2</sup> *Official Journal*, VI, p. 148.

<sup>3</sup> *Ibid.*, VII, p. 178; the revised text is at p. 338.

and perfected at a conference in which delegates from 41 countries took part.

The convention and statute<sup>1</sup> of July 12, 1927, constitute a Union at Geneva between states on the principle of official international solidarity and mutual aid in case of disaster. Each state undertakes to contribute to an initial fund a share equal to 700 Swiss francs for each unit in its quota of the League budget. The Union's remaining resources will be voluntary contributions and with their aid it will be possible constantly to replenish the initial fund.

It will be able to send first aid without waiting for the result of appeals to the public in case of disasters. This prompt dispatch of first aid is now lacking when it would be most useful. In addition to rendering first aid, the Union is to coordinate the efforts of relief organizations in the event of disaster, to encourage the study of preventive measures against disasters, and to induce all peoples to render mutual international assistance. Although the Union has been constituted between states, it contemplates an extremely close cooperation with nonofficial organizations, in particular with the Red Cross Societies. States which desire to do so may be represented by the national Red Cross Society.

The International Relief Union will operate for the benefit of all stricken peoples regardless of race, nationality, or political or religious considerations. Its activities will nevertheless be limited to disasters occurring in the territories of members of the Union, or of a nature to affect those territories. The convention will come into force when ratified or acceded to by 12 states, and when the combined contributions amount to 600 shares (420,000 Swiss francs or \$84,000).

Under the statutes, the Union will be directed by a General Council, which will appoint an Executive Committee. The General Council will meet every two years

<sup>1</sup> *Ibid.*, VIII, p. 997. They had been signed by Belgium, Bulgaria, Colombia, Cuba, Danzig, Ecuador, Finland, France, Germany, Guatemala, Italy, Monaco, Poland, Rumania, Spain, Turkey and Uruguay. Ecuador, Egypt and Italy have ratified and the Sudan has acceded.



as the deliberative and constitutional body, and will be composed of one delegate each from all the members of the Union. The Secretary-General of the League may attend or be represented at all meetings of the General Council and the Executive Committee. Decisions will be by majority vote. The Executive Committee will be composed of seven members appointed by the General Council for two years, and two representatives of the international organizations of the Red Cross in an advisory capacity. It will meet at least once a year, administer funds and represent the Union in dealing with the League, with Governments, and with organizations. It will have power to act on behalf of the Union and to organize relief.

### 8. Mandates and Backward Peoples

The mandatory system is adopted by Member states in Art. 22 of the Covenant, in which it is defined as follows:

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the states which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who, by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

The territories affected are (1) those over which Germany renounced all rights and titles "in favor of the Principal Allied and Associated Powers" by Art. 119 of the treaty of Versailles; and (2) the territories defined as mandates in Part III, Sec. 7, of the treaty of peace with Turkey signed

at Sèvres, August 10, 1920. These former Turkish territories were being administered under mandate when the treaty of Lausanne was signed on July 24, 1923; in the negotiation of that treaty Turkey, as the victor state, made no claim for a change of their status.

The territories thus falling to be administered by mandate were allocated to mandatory states by decision of the Principal Allied and Associated Powers taken at the Paris Peace Conference on May 5, 1919. The states concerned drafted mandates<sup>1</sup> which were submitted to the Council of the League and eventually accepted by it after delays due to negotiations undertaken or initiated by the United States with the mandatories with a view to securing rights accruing to it under Art. 119 of the treaty of Versailles.

### CLASSES

The mandates are divided into three classes as follows:

"A" class: "Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory." — *Covenant*, Art. 22, par. 4.

Territory	Mandatory	Terms Defined by Council
Palestine <sup>2,3</sup>	Great Britain	July 24, 1922
Trans-Jordania	Great Britain	Sept. 16, 1922
Syria and Lebanon <sup>2,3</sup>	France	July 24, 1922
Mesopotamia (Iraq)	Great Britain	— —

**Trans-Jordania** comprises "all territory lying to the east of a line drawn from a point two miles west of the town of Akaba on the gulf of that name up the center of the Wady Araba, Dead

<sup>1</sup> The terms of the mandates are separately printed.

<sup>2</sup> These mandates after approval were to enter into force automatically and at the same time following agreement reached between the Governments of France and Italy on the subject of the mandate for Syria. Complete agreement between those Governments was notified to the Council on September 29, 1923. (*Official Journal*, IV, p. 1355.)

<sup>3</sup> The United States has negotiated a separate treaty with the mandatory; for American policy see *Mandate for Palestine* (Washington, Government Printing Office, 1927).

Sea, and River Jordan to its junction with the River Yarmuk; thence up the center of that river to the Syrian frontier." By Art. 25 of the mandate for Palestine, Great Britain as the mandatory was entitled, with the consent of the Council, to postpone or withhold application of the mandate to that territory, principally because a native rule had been established there under the Emir Abdullah.<sup>1</sup> Up to 1924 the Trans-Jordanian territory was dealt with in the report on Palestine.<sup>2</sup> The Permanent Mandates Commission in its Fifth Session on October 28, 1924, raised the question of a separate report for Trans-Jordania, which was agreed to by the representative of the mandatory. On February 20, 1928, Great Britain recognized in a signed agreement the independence of the Government of Trans-Jordania, the mandate continuing in force.

Iraq (Mesopotamia) was originally contemplated as an "A" mandate. The inhabitants of the territory set up a monarchical form of government and concluded a treaty of alliance with the British Government on October 10, 1922.<sup>3</sup> A protocol accessory to the treaty was signed on April 30, 1923, and four subsidiary agreements on March 25, 1924. As a consequence of the relationships thus established, the mandatory status was recognized as no longer fully applicable to Iraq. The British representative applied to the Council and the latter on September 27, 1924, adopted in a resolution a unilateral undertaking of the British Government implementing the mandate.<sup>4</sup> On December 14, 1927, Iraq and the United Kingdom signed a treaty to replace that of 1922. By Art. 1 of this treaty "his Britannic Majesty recognizes Iraq as an independent and sovereign state." By Art. 8, "provided the present rate of progress in Iraq is maintained and all goes well in the interval, his Britannic Majesty will support the candidature of Iraq for admission to the League in 1932." Iraq undertakes to accede to general international agreements concluded with the approval of the League of Nations with respect to various matters, undertakes to execute the provisions of the Covenant and certain other treaties so far as they apply to Iraq and to cooperate in social, humanitarian and other activities. With respect to Great Britain, the position of the High Commis-

<sup>1</sup> *Official Journal*, III, p. 1189, 1390; IV, p. 212.

<sup>2</sup> Permanent Mandates Commission. *Minutes of the Fifth Session*, p. 60.

<sup>3</sup> *Official Journal*, III, p. 1505; *Treaty Series*, XXXV, p. 131-74.

<sup>4</sup> *Ibid*, V, p. 1346, 1347.

sioner is defined and provision is made for the supersession of financial, military and judicial agreements.

Syria and Lebanon by Art. 1 of the mandate are to be governed under an Organic Law, which has not been promulgated. On March 12, 1927, the French representative stated to the Council,<sup>1</sup> that the mandatory state was actively pursuing its efforts to issue such a law. The cause of the delay was explained as due to the diversity of the communities, their conflicting rights, interests and wishes, and the desire expressed by several of them for an autonomous political régime. A provisional statute has been drawn up for each district in which a sufficient measure of agreement has been reached among the various groups of inhabitants.

"B" class: "Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League." — *Covenant*, Art. 22, par. 5.

Territory	Mandatory	Terms Defined by Council
Cameroons	France <sup>2</sup>	July 18, 1922
Cameroons	Great Britain <sup>2</sup>	July 18, 1922
Ruanda Urundi	Belgium <sup>2</sup>	July 18, 1922
Tanganyika	Great Britain <sup>2</sup>	July 18, 1922
Togoland	France <sup>2</sup>	July 18, 1922
Togoland	Great Britain <sup>2</sup>	July 18, 1922

"C" class: "There are territories, such as Southwest Africa and certain of the South Pacific islands, which, owing to the sparseness of their population or their small size, or their remoteness from the centers of civilization, or their geographical contiguity to the territory of the mandatory, and other circumstances, can be best administered under the laws of the mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interest of the indigenous population." — *Covenant*, Art. 22, par. 6.

<sup>1</sup> *Official Journal*, VIII, p. 417.

<sup>2</sup> The United States has negotiated a separate treaty with the mandatory.

Territory	Mandatory	Terms Defined by Council
Southwest Africa Caprivi Zipfel	Union of South Africa	Dec. 17, 1920
Western Samoa	New Zealand	Dec. 17, 1920
Nauru	Great Britain and Australia	Dec. 17, 1920
Former German Pa- cific islands south of Equator	Australia	Dec. 17, 1920
Former German Pa- cific islands north of Equator	Japan <sup>1</sup>	Dec. 17, 1920

**Nauru** was allocated as a mandate of the British Empire by an agreement on July 2, 1919, between the London Government and those of the Commonwealth of Australia and the Dominion of New Zealand. The island is under an administrator appointed for the first term of five years by the Australian Government. There is a board of three commissioners, one appointed by each Government. The island comprises about 5,396.3 acres, of which 4,216.5 are phosphate-bearing.

**Caprivi Zipfel.** The Southwest Africa mandate lies on the Atlantic coast of Africa, bounded on the north by Portuguese Angola, on the east by Bechuanaland Protectorate and on the south by the Union of South Africa, which is the mandatory. From the Okavango River on the north border a narrow strip between Angola and Bechuanaland extends eastward to the Zam-besi River. This district contains 10,573 square miles and is known as Caprivi Zipfel. A special report on it has been submitted since 1925.

#### PERMANENT MANDATES COMMISSION

"In every case of mandate the mandatory shall render to the Council an annual report in reference to the territory committed to its charge," says Art. 22, par. 7, of the Covenant, which continues: "A permanent commission shall be constituted to receive and examine the annual reports of the mandatories and to advise the Council on all matters relating to the observance of the mandates."

<sup>1</sup> The United States has negotiated a separate treaty with the mandatory.

The Permanent Mandates Commission was constituted by the Council on November 29, 1920. The commission consists of ten <sup>1</sup> members, the majority of whom are nationals of nonmandatory states, "appointed by the Council and selected for their personal merits and competence. They shall not hold any office which puts them in a position of direct dependence on their Governments while members of the commission." <sup>2</sup>

The commission receives the annual reports respecting each mandated territory from authorized representatives of the mandatory, who may offer supplementary explanations or information. The reports are examined in the presence of these authorized representatives, who may participate in the discussion. The commission determines its conclusions and recommendations without the representative being present; but its observations are communicated to him and he is entitled to submit comments. Both documents are forwarded to the Council. Since 1925 mandatories delegate senior officials holding responsible administrative posts in the mandated territories to represent them before the commission.

The meetings of the commission have been increasingly searching inquiries into the conduct of the administration of the mandates. Each mandate has its special problems ranging from the supervision of autonomous institutions in "A" mandates down through the safeguarding of the interests of primitive peoples in some of the "C" mandates. Reports of the mandatories <sup>3</sup> are annually being developed as a result of requests by the commission for information.

The commission receives petitions from responsible persons respecting the conduct of the mandates, and weighs their allegations in connection with statements made by the mandatory Governments.

<sup>1</sup> On the appointment of the tenth (German) member in 1927 see *Official Journal*, VIII, p. 1257, 1132.

<sup>2</sup> Resolution of the Council, November 29, 1920, *Official Journal*, I, No. 8, p. 87.

<sup>3</sup> The reports are available separately.

**Petitions.** Petitions relating to the administration of the Palestine mandate have been brought before many sessions of the Commission.<sup>1</sup> These emanate chiefly from the Ashkenasic Community in Jerusalem, the Palestine Arab Congress, the Zionist Organization, the Agudath Israel Organization and the National Council of the Jews of Palestine.

Other petitions have dealt with conditions in Syria and Lebanon, especially in 1925 and 1926. The Rehoboth Community in Southwest Africa has frequently petitioned. Western Samoa and Togoland under French mandate have been the subject of other petitions. In many cases the grievances have been due to misunderstandings; in other cases complaints have resulted in satisfactory adjustments.

### *General Decisions*

In addition to the terms of the mandates, which are calculated to insure all proper guaranties to peoples under mandate, the commission has secured rulings on various important points:

**Territorial Status.** The preamble of a frontier agreement<sup>2</sup> between the Portuguese colony of Angola and the Union of South Africa stated that "the Union of South Africa, subject to the terms of the said mandate, possesses sovereignty over the territory of Southwest Africa." The Commission expressed its doubt whether this expression could be held correctly to define the relations between the mandatory power and the territory placed under its mandate.<sup>3</sup>

On September 8, 1927, the rapporteur of the Council stated that, the legal relationship between the mandatories and the territories under mandate "is clearly a new one in international law, and for this reason the use of some of the time-honored terminology in the same way as

<sup>1</sup> See for examples *Minutes of the 9th session*, p. 202, 227; *Official Journal*, IV, p. 298; VII, p. 1318.

<sup>2</sup> *Treaty Series*, LXX, p. 305.

<sup>3</sup> *Official Journal*, VIII, p. 347, 426.

previously is perhaps sometimes inappropriate to the new conditions."<sup>1</sup>

**Nationality.** On the national status of inhabitants of territories under "B" and "C" mandates the commission has concluded:<sup>2</sup>

1. It is important . . . that the native inhabitants of B and C mandated territories should be granted a national status wholly distinct from that of the nationals of the mandatory power.

2. A special law of the mandatory power should determine the status of these native inhabitants, who might be given a designation such as "administered persons under mandate" or "protected persons under mandate" of the mandatory power.

**Military Recruiting.** "The spirit, if not the letter, of the mandate would be violated if the mandatory enlists the natives of the mandated territory (wherever they may present themselves for engagement) for services in any military corps or body of constabulary which is not permanently quartered in the territory and used solely for its defense or the preservation of order within it."<sup>3</sup>

**State Land.** "The mandatory powers do not possess in virtue of Arts. 120 and 257 (par. 2) of the treaty of Versailles any right over any part of the territory under mandate other than that resulting from their having been intrusted with the administration of the territory."<sup>3</sup>

**Equality of Treatment.** "Mandates A and B lay down the principle of economic equality for all nationals of states Members of the League and for goods coming from these countries. These nationals and goods therefore benefit *ipso facto* in A and B mandated territories by a clause which is practically equivalent to the granting of most-favored-nation treatment."<sup>4</sup>

**Liquor Traffic.** The commission having defined "liquor" for mandate purposes,<sup>5</sup> in 1928 asked states to inform it

<sup>1</sup> *Official Journal*, VIII, p. 1120.

<sup>2</sup> *Ibid.*, IV, p. 659.

<sup>3</sup> *Ibid.*, VII, p. 867, 944.

<sup>4</sup> *Ibid.*, IX, p. 1448.

<sup>5</sup> *Ibid.*, VIII, p. 426, 347.



to which parts of the territory under their mandate they had already applied Art. 4, par. 2, of the St. Germain convention on liquor traffic in Africa.

**Capital.** On September 15, 1925, the Council declared that the validity of financial obligations assumed by a mandatory on behalf of a mandated territory and all rights regularly acquired under the mandatory régime, were in no way impaired by administration under mandate. The cessation or transfer of a mandate could not take place unless the Council had been assured in advance that the financial obligations regularly assumed by the former mandatory would be carried out.<sup>1</sup>

In Iraq the capital of the Turkish Petroleum Company has been distributed 23.75% to each of four national groups and the remaining 5% to the developer of the project. No two groups have a voting majority.

**Application of Treaties.** The Council in 1925<sup>2</sup> recommended that all states which had concluded special treaties or conventions with mandatory states, should agree to the extension of such agreements to mandated territories. It further requested mandatory states to insert in future agreements a clause providing for the possibility of their extension to mandated territories.<sup>2</sup>

### OPERATION OF THE SYSTEM

The mandate system has maintained a steadily widening control for the benefit of native populations over the territories affected by it. The annual reports of the mandatory Governments have been increased in detail as a result of the commission's desire for full information, and present a reasonably complete picture of conditions and development. It is notable that the administration of most of the mandated territories has been successful enough in dealing with the natives that petitions have not reached the commission.

<sup>1</sup> *Official Journal*, VI, p. 435, 495, 1363, 1513.

<sup>2</sup> *Ibid.*, p. 856, 1363.

Managing mandates is a delicate business, touching upon all phases of life. That the system should not always run smoothly and without friction is consequently inevitable. Three instances may show both the difficulties involved and the manner of conducting supervision.

**Western Samoa.** In 1927 marked native disaffection appeared. The New Zealand Government investigated and found a European copra merchant, who was close to certain native groups, the chief of its critics. A commission of inquiry looked into the matter thoroughly, the European was expelled and the affair was carefully examined at Geneva in October, 1928, when various improvements in the administrative action and relations to the native Samoan parliamentary body were discussed.

**Palestine** is regarded as the Jewish National Home. It is in reality largely inhabited by Arabs. The contact of new Jewish immigrants with the Arabs already settled there has produced innumerable frictional incidents. While these are far from ended, the commission has observed signs of decreased tension and a growing disposition of the parties to cooperate with the mandatory in working toward an equitable solution.

**Syria and Lebanon.** The only incident attracting worldwide attention culminated in the bombardment of Damascus in October, 1925. The Syria and Lebanon mandate is a conglomeration of races and religions, with an upper class opposed to outside control and the remainder of the population now incapable of self-government. The bombardment of Damascus by the French mandatory was part of a campaign against the Jebel Druse tribe, which was in full rebellion. The Mandates Commission held a special session on the situation thus brought to light at Rome, February 16–March 6, 1926. While French statements of intentions and policy in Syria and Lebanon were found to be satisfactory, it was found that the military administration which had actually been in force was not only badly chosen for coping with the situation but was also inept and provocative. An extensive change

of officials, including a capable high commissioner to replace General Sarraïl, was the chief reform effected. The Committee realized that very complicated native conditions existed. By 1927 revolt had disappeared and progress toward a system of native self-government under the overdue Organic Law was being made.<sup>1</sup>

### SLAVERY CONVENTION

Largely due to the information called to the attention of the Assembly and Council by the work of the Permanent Mandates Commission, a questionnaire respecting the existence of slavery was circulated to states in 1922. The 1923 Assembly expressed regret that the information thus supplied was insufficient "to form the basis of a sufficiently complete report" and suggested appointment of a commission by the Council. The Temporary Committee on Slavery was appointed by the Council on June 12, 1924.<sup>2</sup> The report of the commission, containing suggestions to be submitted to the Council, showed the various aspects of the alienation or restriction of individual freedom, and recommended practical measures for joint action.<sup>3</sup> In the Sixth Assembly the Sixth Committee drew up a convention, which Governments were asked to consider. The Sixth Committee of the Seventh Assembly perfected the document.

The slavery convention <sup>4</sup> signed at Geneva September 25, 1926, entered into force March 9, 1927. It completes the general act of the Brussels conference of 1889-90. Contracting states undertake to adopt necessary legislative measures to implement the convention and to communicate to each other and to the Secretary-General of the League <sup>5</sup> laws and regulations on the subject.

<sup>1</sup> A special *Rapport provisoire* . . . (*année 1925*) gives the French account. The commission's session is reported in its *Minutes of the Eighth (Extraordinary) Session* (C. 174, M. 65, 1926, VI A. 5); the Council discussion in *Official Journal*, VII, p. 623.

<sup>2</sup> *Official Journal*, V, p. 909.

<sup>3</sup> See *ibid.*, VII, p. 1030, 1140, 1547; VIII, p. 121.

<sup>4</sup> *Treaty Series*, LX, p. 253.

<sup>5</sup> Annual reports are brought to the attention of the Assembly.

### 9. Protection of Minorities

At the Paris Peace Conference a number of special treaties relating to the protection of racial, linguistic or religious minorities were concluded with the new states and with the states whose territory had been considerably increased as a result of the war. Clauses corresponding to those contained in these treaties were inserted in several treaties of peace.

On December 15, 1920, the first Assembly requested that, if Albania, the Baltic and Caucasian states were admitted to the League, they should take the necessary measures to enforce the principles of the minorities treaties.<sup>1</sup> The Council on October 2, 1921, passed a report containing the text of the treaty articles and which was intended to serve as a form binding the states concerned.<sup>2</sup> A declaration embodying this report as an engagement of the state toward the League of Nations has been made by each following its admission to the League. In addition, the same provisions have been incorporated in other treaties.

All of these have been collected in a volume published by the Secretariat.<sup>3</sup>

As a result of these various forms of obligation the following states are effectively under the minority régime:

Albania	Hungary
Austria	Latvia
Bulgaria	Lithuania (and Memel)
Czechoslovakia	Poland
Danzig, Free City	Rumania
Estonia	Serb-Croat-Slovene State
Finland	Turkey
Greece	

<sup>1</sup> *Resolutions of the Assembly . . . 1920*, p. 28.

<sup>2</sup> *Official Journal*, II, p. 1161.

<sup>3</sup> *Protection of Linguistic, Racial and Religious Minorities by the League of Nations. Provisions contained in the various international Instruments at Present in Force* (C. L. 110, 1927, I. B. 2).

In addition bilateral treaties embodying the principles have been made between Austria and Czechoslovakia, Bulgaria and Greece, Germany and Poland.

### TREATY PROVISIONS

The minorities provisions are recognized by the states affected as fundamental laws and they agree to enact no conflicting stipulations. The essential provisions are:

Full and complete protection of life and liberty will be insured to all inhabitants . . . without distinction of birth, nationality, language, race or religion.

All inhabitants . . . will be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals. They will have the right to change their religion.

All persons . . . not born nationals of another state shall *ipso facto* be . . . nationals. All . . . nationals shall be equal before the law, shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession will not prejudice any . . . national in matters relating to the enjoyment of civil or political rights.

No restriction will be imposed on the free use by any . . . national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment of an official language, adequate facilities will be given . . . nationals of [other] speech for the use of their language either orally or in writing before the courts.

Nationals who belong to racial, religious or linguistic minorities will enjoy the same treatment and security in law and in fact as other . . . nationals.

Provision will be made in the public educational system . . . for adequate facilities for insuring that in the primary schools instruction shall be given to the children of such nationals through the medium of their own language; it being understood that the teaching of the official language [may be] made obligatory in the said schools.

Minorities will be assured an equitable share in the enjoyment and application of public funds for educational, religious or charitable purposes.

The stipulations affecting persons belonging to racial, religious or linguistic minorities are declared to constitute obligations of international concern and are placed under the guaranty of the League. They shall not be modified without the assent of a majority of the Council. Any Member of the Council has "the right to bring to the attention of the Council any infraction or danger of infraction of any of these stipulations, and the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstance."

### PETITIONS

**Procedure.** The Council on October 27, 1920, passed a resolution and report defining the nature of the guaranties undertaken by the League.<sup>1</sup> A resolution of June 27, 1921, by the Council laid down a series of rules regarding petitions in respect to minority questions.<sup>2</sup> Questions of the method of handling petitions by the Council having been raised, a resolution defining procedure respecting them was adopted on September 5, 1923.<sup>3</sup> A judicial report on who has the right to petition was noted by the Council on November 14, 1928.<sup>4</sup>

According to this procedure, the minorities themselves and states are entitled to draw the attention of the League of Nations to any infraction or danger of infraction of the treaty provisions. But this act must retain the nature of a petition or report pure and simple and can not have the legal effect of putting the matter before the Council.

(a) must have in view the protection of minorities in accordance with the treaties;

(b) in particular must not be submitted in the form of a request for the severance of political relations between the minority in question and the state of which it forms a part;

<sup>1</sup> *Minutes of 10th Session of the Council*, p. 143-151; *Official Journal*, I, No. 8, p. 8.

<sup>2</sup> *Official Journal*, II, p. 749.

<sup>3</sup> *Ibid.*, IV, p. 1293.

<sup>4</sup> *Ibid.*, IX, p. 1493.

- (c) must not emanate from an anonymous or unauthenticated source;
- (d) must abstain from violent language;
- (e) must contain information or refer to facts which have not recently been the subject of a petition submitted to the ordinary procedure.

In case the state concerned should object to a petition being received, the Secretary-General will submit the question to the president of the Council, who may invite two other members of the Council to assist him in the study of this question. At the request of the state concerned this question of procedure may be put on the agenda of the Council.

A Government is granted two months in which to prepare a reply to a petition. Any Member of the League can see petitions (with the observations of the Government concerned) which have been communicated to the Council.

The 1923 resolution defines the functions of the so-called "Committee of Three" set up by the resolution of October 25, 1920. Examination by it of petitions and remarks on them by the Governments concerned shall be for the sole purpose of determining whether one or more members of the Council should bring them to the attention of the Council.<sup>1</sup> The right of any member of the Council to bring to the attention of that body any infraction or danger of infraction is preserved intact.

A report of the Council on June 9, 1928, laid down important definitions of the difference between an international dispute and a minority appeal:<sup>2</sup>

We are unanimous in considering that the system of the protection of minorities instituted by the treaties, while having as its principal object the protection of the minority itself, is also intended not only to prevent that questions concerning the protection of minorities should acquire the character of a dispute between nations but to insure that states with a minority within their borders should be protected from the danger of interference by other powers in their internal affairs.

<sup>1</sup> For additional resolution of June 10, 1925, see *Official Journal*, VI, p. 878.

<sup>2</sup> *Official Journal*, IX, p. 942.

. . . Once the matter is before the Council, it becomes an affair between the Council and the state to which the minority belongs nationally, not a question between that state and the state with which the minority is racially connected.

#### DISPUTES ARISING UNDER GUARANTIES

Minority questions which have come before the Council have varied greatly as to character. The fact that they have not been very numerous and have emanated from only some of the areas inhabited by minorities indicates that the system has been relatively effective. Among the questions coming before the Council have been:

**Hungarian Farmers in Rumania.** On June 11, 1925, the Council began consideration of a petition from small landholders of Hungarian origin in the Banat and Transylvania who complained that under Rumanian laws they might be deprived of their realty without adequate compensation and that measures taken against them were more radical than those taken against other Rumanian nationals.<sup>1</sup> Rumania suspended all measures which might tend to affect the situation, pending the decision of the Council. The Rumanian case was that the farmers in the districts under discussion were to be subject to expropriation of their land above a maximum amount, as a part of a general agrarian reform which had been decided upon prior to the World War. The number of farmers affected was about 2,300. After extensive presentation of documents and discussion of details of the question, the Rumanian Government proposed to offer the farmers compensation to the amount of 700,000 francs or \$140,000. The Council accepted this proposal because it seemed better calculated to meet the interests of the farmers and to pacify the inhabitants than a legal decision dealing with the validity of the agrarian law.<sup>2</sup> The beneficiaries declined to participate in allocating this

<sup>1</sup> *Official Journal*, VI, p. 891-1000.

<sup>2</sup> *Ibid.*, p. 1341-1352, 1456.



sum, and the Rumanian Government established committees for that purpose.<sup>1</sup>

**Polish Minority in Lithuania.** Complaints from this minority led to a report to the Council on June 10, 1925, that the information supplied by the Lithuanian Government to the Council gave "evidence of that Government's desire to cooperate with the League of Nations in removing any doubts which might exist as to the way in which the Lithuanian people fulfills its obligations towards those of its fellow citizens which belong to a minority."<sup>2</sup> Subsequently, the Lithuanian Government made an extensive statement in which it detailed the measures taken to insure fair treatment of the Polish minority.<sup>3</sup>

**Jewish Minority in Hungary.** A question of the Hungarian *numerus clausus* law of 1920 came before the Council in September, 1922.<sup>4</sup> The law laid down that the number of students of different races and nationalities entered on the rolls of universities and other institutions for higher education should be proportional to the number of inhabitants of such races and nationalities in the country. Statistics and evidence were presented to the Council by the Hungarian Government and the petitioners. While the primary question was whether the *numerus clausus* was compatible with the principle of equal treatment in the minority treaty, the Hungarian Government considered the law as an exceptional measure necessitated by an abnormal social situation, and stated that it would be changed as soon as conditions altered. In view of this assurance, the Council on December 12, 1925,<sup>5</sup> decided not to enter into the legal question, but to await the amendment of the law in the near future.

**Upper Silesia.** A number of petitions have emanated from Upper Silesia. One of these, dated May 26, 1925,

<sup>1</sup> *Official Journal*, VII, p. 1084.

<sup>2</sup> *Ibid.*, VI, p. 864, 276 at 865; compare p. 484, 581-606.

<sup>3</sup> *Ibid.*, p. 139, 1452.

<sup>4</sup> *Ibid.*, III, p. 1204, 1425.

<sup>5</sup> *Ibid.*, VII, p. 148-153, 171.

complained that German laws with regard to payment by the German Government of compensation in Upper Silesia led to the systematic rejection of claims put forward by Poles for damages incurred at the time of the partition. Changes of membership in the Council of the League necessitated consideration of the question by different rapporteurs,<sup>1</sup> but the actual administration of the laws seemed to have left the petitioners without reason to reopen the question.

By petition of January 30, 1928, the *Deutscher Volksbund* raised the question of the right to establish an elementary minority school. A previous question involving the same problem<sup>2</sup> had been before the Council. The Permanent Court of International Justice laid down the principle respecting the rights of minorities with respect to schools, especially the authority of officials to determine whether an individual belonged to a minority, that a parent could decide the language of a child according to his conscience and on his personal responsibility; that the Polish Government was justified in not admitting children, whose only language was Polish, to minority schools; and that the declaration of a person responsible for the education of a child concerning his language was not to be the subject of any verification or dispute, pressure or hindrance on the part of the authorities. With this decision<sup>3</sup> before it, the Council passed a report on June 9, 1928, covering a series of differences and also was able to adopt a report upon a number of other questions relating to schools in Upper Silesia.<sup>4</sup>

#### ALBANIAN PROPERTY AND THE ALBANIAN MINORITY IN GREECE

On April 10, 1928, the Albanian Government requested the Council, in virtue of Art. 11, par. 2, of the Covenant,

<sup>1</sup> *Official Journal*, VII, p. 1418.

<sup>2</sup> *Ibid.*, VIII, p. 400, 491, 592.

<sup>3</sup> Publications of the Permanent Court of International Justice, Series A, No. 15.

<sup>4</sup> *Official Journal*, IX, p. 945, 946.

to examine the question of Albanian property and of the Albanian minority in Greece.

On June 5 the Council<sup>1</sup> heard statements of the parties. The Albanian representative stated that the application of the agrarian law in Greece had led to the confiscation, more or less disguised, of Albanian properties, despite the fact that in virtue of its international obligations the Greek Government was not entitled to proceed to expropriation and requisition of foreign property without apparent reason and without a just preliminary indemnity. The Greek representative said that his Government was convinced that the Albanian request could not be received. Negotiations were being conducted on the questions which Albania had submitted to the Council in virtue of an unfair application of Art. 11 of the Covenant. The expropriation of Albanian lands had taken place under an agrarian law which the influx of refugees had rendered necessary and affected all landed proprietors without distinction.

The Council on June 9 adopted a report in which it found that the minorities complaint should not come up under Art. 11, for such an appeal "would create the very dangers which the minorities treaties were intended to avert." Some of the complaints were already being examined under the normal minority procedure. The two Governments agreed to negotiate directly on the question of Albanian property in Greece.

#### MOSLEMS OF ALBANIAN ORIGIN IN GREECE

The question of Moslems of Albanian origin in Greece, particularly the situation of the Albanians of Chamuria, was examined by the Council on March 16, 1926. The Greek Government informed the Council that it considered the exchange as practically terminated in Chamuria, and that it had decided not to demand the exchange of 800 inhabitants of certain villages specially mentioned in the debates. The persons who remained would enjoy the same

<sup>1</sup> *Official Journal*, IX, p. 871, 874, 942.

treatment *de jure* and *de facto* as other Greek citizens. Any exceptional measures which the Government might have applied would be abrogated.<sup>1</sup>

### EMIGRATION COMMISSIONS

On November 27, 1919, a convention<sup>2</sup> was concluded between Greece and Bulgaria to regulate the reciprocal and voluntary emigration of minorities between Greece and Bulgaria, so that Greeks domiciled in Bulgaria may emigrate to Greece, and Bulgarians domiciled in Greece may emigrate to Bulgaria. This convention provides for the formation of a Mixed Commission of four members, two appointed by the Council of the League. The duties of this commission are, generally speaking, to supervise this emigration.<sup>3</sup>

On January 30, 1923, a convention was signed at Lausanne concerning the obligatory exchange of Turkish nationals of Greek Orthodox religion on Turkish territory and of Greek nationals of Mussulman religion on Greek territory, with the exception of Greek inhabitants of Constantinople and Mussulman inhabitants of Western Thrace. According to the terms of this convention, a mixed commission has been appointed composed of four Turkish members, four Greek members and three members chosen by the Council.<sup>4</sup> This commission had similar functions to that of the Greco-Bulgarian Mixed Commission. The final report was submitted on July 14, 1926.<sup>5</sup>

The resolution of the Council covering the Albanian declaration of October 2, 1921, provides for similar arrangements with countries bordering on Albania for reciprocal and voluntary migration of persons belonging to ethnic minorities, and contemplates adhesion by Albania to the Greco-Bulgarian convention.<sup>6</sup>

<sup>1</sup> *Official Journal*, VII, p. 153, 308, 510. For the earlier phase of this dispute under Art. 11, par. 2, of the Covenant, see *Official Journal*, V, p. 364, 1367; VI, p. 234.

<sup>2</sup> *Treaty Series*, I, p. 67.

<sup>3</sup> *Official Journal*, I, No. 8, p. 84.

<sup>4</sup> *Ibid.*, IV, p. 1312.

<sup>5</sup> *Ibid.*, VII, p. 1137; *cf.* also p. 160.

<sup>6</sup> *Ibid.*, II, p. 1162.

## 10. Administration of Territory

### THE SAAR BASIN

By the treaty of peace with Germany the Saar Basin is transferred under various conditions to the control of France "as compensation for the destruction of the coal mines in the north of France and for part payment toward the total reparation due from Germany from the damage resulting from the war." The coal mines in the basin are ceded "to France with full and absolute possession." The government of the basin territory and provisions for a plebiscite in 1935 are set forth. By Art. 49 of the treaty Germany renounces in favor of the League of Nations, in the capacity of trustee, the government of the territory. It is also provided that "the decisions of the Council of the League of Nations will be taken by a majority" in all matters respecting it. The Saar Basin, with the exception of the mines, will therefore have a League of Nations government until January 10, 1935.

By pars. 23 and 26 of the Annex to the Saar section of the treaty of Versailles the laws and regulations in force shall not be changed and taxes and dues shall not be imposed "without previously consulting the elected representatives of the inhabitants." A decree of March 24, 1922,<sup>1</sup> of the Governing Commission established an Advisory Council and a Technical Committee. The Technical Committee consists of eight members versed in economics, administrative and financial matters appointed for one year by the Governing Commission and consulted by it at will. The Advisory Council consists of 30 members elected by the citizens for three years, and it meets every three months. The members elected in 1928 serve until March 31, 1931.<sup>2</sup>

The League is responsible for the plebiscite to be held in 1935. The treaty of Versailles provides that the voters

<sup>1</sup> *Official Journal*, III, p. 414.

<sup>2</sup> *Ibid.*, IX, p. 761.

should be "all persons without distinction of sex more than 20 years old at the date of the voting" who were resident in the Saar on June 28, 1919. The object was to prevent the frequent dispute in plebiscites as to who are *qualified* voters. The voting lists were prepared in September, 1922, by a provisional records commissioner appointed by the Council of the League,<sup>1</sup> and as a consequence, the vital records necessary for determining the voting lists are now in the custody of the League.

By the treaty, the Governing Commission always includes a French member. M. V. Rault, the French member, served as chairman until April 1, 1926, having been criticized for acting more like a French than an international official. He was succeeded by a Canadian, George W. Stephens, and he by an Englishman.

The Governing Commission acts as the cabinet of the Saar Basin, which has a population of nearly 800,000.

France has special rights connected with working the mines, which are owned by that country. Since the Basin is exclusively a mining district, there is an underlying problem of exercising justice toward both the mining régime and the population. In the early days, France insured order by its own troops, of which there were 7,977 on February 1, 1920.

Members of the Governing Commission and the Council for some time pressed for the reduction of this force, which was to be replaced by a local gendarmerie. A report on the defense of the Saar was eventually made by the commission on January 28, 1926,<sup>2</sup> and revised a year later.<sup>3</sup> The solution of the problem was complicated by the fact that the commission is obligated by the treaty to insure the working of the mines. Obviously, it could not fulfill this assigned duty if the gendarmerie and the miners were both agreed on preventing it. France was insistent that some provision must be made for uninterrupted communication.

<sup>1</sup> *Official Journal*, III, p. 1204-1213.

<sup>2</sup> *Ibid.*, VII, p. 527.

<sup>3</sup> *Ibid.*, VIII, p. 599.

The decision came before the Council in March, 1927, with Germany, to which the Saar belonged, as a Member of the Council and seriously interested in the decision. This difference between France and Germany attracted much attention in the press, and the session of March 12, 1927, was one of the high-lights of the Council's history. The decision was to establish a Railway Defense Force of 800 men, to be provided from the French, British and Belgian forces in the adjacent occupied zones of Germany on the left bank of the Rhine. Thus, the French "Saar garrison" was eliminated, all foreign troops were normally removed from the Saar, and in case of need the French contribution to the railway defense force was limited.

**German Goods for Local Consumption.** For several years the uncertain commercial relations between France and Germany created a difficult position in the Saar, resulting in temporary agreements. The Franco-German commercial treaty of August 17, 1927, offered the opportunity to transform them into a permanent understanding. As the customs frontier between France and the Saar is removed and one set up toward Germany, the negotiation was both difficult and complicated. An arrangement of February 23, 1928, put the commercial relations of the Saar on the soundest basis they had yet attained.

#### FREE CITY OF DANZIG

Par. 1 of Art. 100 of the treaty of peace of Versailles provides that Germany shall renounce in favor of the Principal Allied and Associated Powers all rights and titles over the City and Territory of Danzig. Art. 102 provides that they shall establish Danzig and its territory as a Free City to be placed under the protection of the League of Nations. Art. 103 provides that a constitution for the Free City shall be drawn up by duly appointed representatives of the Free City in agreement with a high commissioner<sup>1</sup> to be appointed by the League, and placed under

<sup>1</sup> The high commissioners have been Mervyn Sorley Macdonnell (English), Joost A. Van Hamel (Dutch), and Count Manfredi Gravina (Italian), for three years from June 22, 1929.

the guaranty of the League. The constitution was approved by the high commissioner on May 11, 1922.<sup>1</sup>

The high commissioner is further intrusted with the duty of dealing in the first instance with all differences arising between Poland and the Free City concerning the treaty of Versailles and any supplementary arrangements or agreements.

Art. 104 provides that a treaty, the terms of which are to be negotiated by the Principal Allied and Associated Powers, shall be concluded between the Polish Government and the Free City in order to assure to Poland the exercise of the rights which she derives from this article within the territory of the Free City. This treaty of November 9, 1920,<sup>2</sup> came into force at the same time as the establishment of the Free City, November 15, 1920.

The guaranty of the Constitution was assumed by the Council on November 17, 1920,<sup>3</sup> when the Free City was placed under the protection of the League, its defense falling to Poland. The Polish-Danzig convention of November 9, 1920, was not to be modified without the previous assent of the League.

As to foreign relations the commissioner decided on December 17, 1921:<sup>4</sup>

1. That Poland, when called upon by Danzig to conduct any of the foreign relations of the Free City, has the right to refuse the application, if the matter involved is clearly to the detriment of the important interests of the Polish state.

2. That Poland has no right to initiate and impose upon Danzig a definite foreign policy which is clearly opposed to the well-being, prosperity and good government of the Free City. Moreover, it is apparent from the Polish statement of the case that she has no desire to do so.

**Disarmament.** In accordance with the Council's resolution of November 17, 1920, the following was inserted in the Constitution:

<sup>1</sup> Text in *Official Journal*, Spec. Sup. No. 7.

<sup>2</sup> *Treaty Series*, VI, p. 189.

<sup>3</sup> *Minutes of the 11th Session*, p. 76.

<sup>4</sup> *Decisions of the High Commissioner*, 1921, p. 72.



Article 5. — The Free City of Danzig can not, without the previous consent of League of Nations, in each case:

- (1) Serve as a military or naval base;
- (2) Erect fortifications;
- (3) Authorize the manufacture of munitions or war material on its territory.

Under these provisions various questions have arisen. The former German Government rifle factory in Danzig had been managed by Danzig for the Principal Allied and Associated Powers, the temporary owners. In December, 1920, Danzig requested permission to manufacture 50,000 rifles for Peru. The Council decided that the League could not undertake the responsibility for increasing the stock of arms in the world. The Council later decided that all manufacture of arms, including sporting rifles, must cease immediately, and that the rifle factory must be closed down on July 30, 1921.<sup>1</sup>

The Council<sup>2</sup> decided in March, 1924, that the Westerplatte Peninsula in the territory of the Free City should be placed at the disposal of the Polish Government for the purpose of unloading, storing and forwarding to Poland war material and explosives in transit. After the completion of the works, the Governments of Danzig and Poland began negotiations under the chairmanship of the High Commissioner, Joost van Hamel, on technical points, such as the right of admittance of Danzig authorities to the Westerplatte area, the control and supervision of the observance of the safety regulations in this area, the manner of regulating customs clearance, regulations applicable to consignments of war material and explosives leaving the Westerplatte area, the definition of "war material" which may be transported. The negotiations having failed, the High Commissioner, in April, 1927, issued regulations to which both the Danzig and Polish Governments raised objections. He then asked the Council in a letter dated May 30, 1927, to give a final decision on the subject.

<sup>1</sup> *Official Journal*, II, p. 676, 968.

<sup>2</sup> *Ibid.*, V, p. 529, 536, 687.

The Council<sup>1</sup> on December 12, 1927, again remitted the question to direct negotiation and they settled it by an agreement signed August 4, 1928.

A request from the high commissioner for instructions as to applications for permission to convey through Danzig war material consigned to a country other than Poland was referred by the Council to the Permanent Advisory Commission on Military, Naval and Air Questions on March 7, 1928. A decision of the Council dated June 23, 1921,<sup>2</sup> prohibited the storage and transport in Danzig of war material unless the consent of the Council had been obtained. The Council authorized the high commissioner to deal, on its behalf, with such requests with a view to obtaining the Council's consent to such operations, and directed that it be informed of the results of the applications.<sup>3</sup>

**Relations with Poland.** The relations between Poland and the Free City have improved with time and they have been able to work out an understanding directly between themselves on most unsettled points. The Polish-Danzig agreement of October 24, 1921, contains 244 articles on many different questions, including naturalization in Danzig, extradition, postal arrangements, regulations for ships, stock exchange transactions, customs, fisheries, export and import trade and food supply for Danzig. Many other special treaties have been made.

Such differences, however, as could not be arranged directly between the two parties have been, in accordance with the treaties, referred to the high commissioner of the League. His decisions<sup>4</sup> were numerous in the early years. Either or both parties could appeal to the Council and this was done regularly, even though, as a rule, the appeals were withdrawn. The persistence of the parties finally led the high commissioner to say at Geneva on De-

<sup>1</sup> *Official Journal*, VIII, p. 801, 1423; IX, p. 181.

<sup>2</sup> *Ibid.*, II, p. 659.

<sup>3</sup> *Ibid.*, VIII, p. 748.

<sup>4</sup> Obtainable from World Peace Foundation for years 1921-27.

cember 12, 1924, that "for the first time the Council had had nine clear months free of Danzig questions. . . . Appeals were made to the Council on every question by one side or the other, not only on their merits, but as a matter of tactics. . . . It was obvious from the remarks and feelings of the Council that these methods must be stopped."<sup>1</sup>

He asked to submit proposals to reduce the number of appeals, being supported by both the Polish and Danzig representatives. A report was made to the March, 1925, session of the Council<sup>2</sup> and a detailed procedure for the future was adopted in June, 1925. The new procedure maintains the system of direct negotiations between Poland and Danzig, while the high commissioner may invite one or both to meet to discuss the issue. In the case of technical or legal questions — the majority of those brought up — the high commissioner is empowered to take the advice of the League's technical organizations or experts before giving his decision. Formerly they were consulted only after an appeal from a decision had reached the Council. The result was to eliminate the political element in disputes.

**Questions before Council.** The Danzig questions brought to the Council have been exceedingly numerous, particularly in the first few years. Most of them involved minor matters and were more notable for expression of differences between the parties than their subjects.

One which developed quite a history may be cited. The Polish Government appealed to the Council against a decision of the High Commissioner with regard to the Polish postal, telegraph and telephone service at Danzig, and particularly concerning the installment of postboxes and the employment of Polish postmen in the Free City. On March 13, 1925,<sup>3</sup> the Council requested an Advisory Opinion from the Permanent Court of International Jus-

<sup>1</sup> *Official Journal*, VI, p. 153.

<sup>2</sup> *Ibid.*, p. 562.

<sup>3</sup> *Ibid.*, p. 471.

tice on the question. On May 16, the Court rendered an opinion<sup>1</sup> to the effect that no decision of the High Commissioner covering the controversy was in force and that the Polish postal service at Danzig was not restricted to operations only within its premises, but that it could set up letterboxes for the public and collect and deliver postal matter outside those premises. Four experts, appointed by the Chairman of the Advisory Committee on Communications and Transit made a report on the practical means of carrying out the Advisory Opinion, which was adopted by the Council. This involved laying down boundaries of the port, which are subject to revision every five years. On the basis of the report, Poland and Danzig entered into negotiations and reached agreements upon the question at issue and many other subsidiary questions, such as currency, language and taxation in the Hevelius-platz, which is a Polish section of the port.<sup>2</sup>

The Council appoints various Danzig officials, such as the President of the Danzig Port and Waterways Board.

In recent years, Danzig and Poland have executed a great number of treaties defining their relations. Among those of special interest may be mentioned that of August 4, 1928, defining access to and anchorage in the Port of Danzig for Polish war vessels.

### 11. Progressive Codification of International Law

The Committee of Jurists appointed by the Council in 1920 to draft a statute for the Permanent Court of International Justice also reported a resolution of its own dealing with the codification of international law. This was referred to the First Assembly, but was not adopted by it. In the Fifth Assembly, the Swedish delegation called attention to the annual report showing the position of international engagements made under the auspices of the League and emphasized its contribution to the develop-

<sup>1</sup> See Publications of the Permanent Court of International Justice, Series B. No. 11.

<sup>2</sup> *Official Journal*, VI, p. 1371.

ment of international treaty law.<sup>1</sup> It was the League's duty, it was said, to organize this process of development systematically.

The Assembly on September 22, 1924, adopted a resolution requesting the Council to convene a suitable committee of experts to prepare a provisional list of the subjects of international law which were desirable to regulate by international agreement and to report which questions were sufficiently ripe to warrant calling an international conference for their solution. The Council appointed the Committee of Experts for the Progressive Codification of International Law, December 12, 1924.<sup>2</sup>

The committee has held annual sessions since 1925. At its first session it decided to give the word "codification" a broad significance and adopted an empirical procedure without entering into the problem of abstract codification. Its process of work is fixed. Questions are suggested to it on its own initiative or that of others. These are assigned to members of the committee sitting as subcommittees for examination and report, usually taking the form of a draft convention preceded by a technical introduction. If a question is found suitable, a questionnaire is prepared and forwarded to states. Their replies are studied by the committee, which then reports to the Council whether a given subject is ripe for international regulation. The Council passes such questions to the Assembly, which determines upon the convening of a conference to reach agreement upon them.

Three questions were advanced to that stage in 1927. In order still further to prepare the field, the Assembly called for the appointment of a Technical Preparatory Committee for the Codification Conference, which analyzes each question and determines in detail the information which is to be requested of the States Members and non-Members of the League. This information is to contain precise statements regarding:

<sup>1</sup> *Records of the Fifth Assembly, Plenary Meetings*, p. 82-83.

<sup>2</sup> *Official Journal*, VI, p. 275.

The status of the positive law of each state, internal and international, with as full details as possible on bibliography and jurisprudence;

Information derived from their practice at home and abroad; any views as regards possible additions to the rules in force and how to make good existing deficiencies in the international law of the subject.

It is planned to hold the first Codification Conference at The Hague. It will be held in 1929, unless the Disarmament Conference meets in that year; in which case it will be held in 1930. In preparation for it Governments sent replies by October 31, 1928, to specific points on the agenda as follows:

1. *Nationality*: the general principle of international law that the acquisition and loss of nationality fall solely within the domestic jurisdiction of each State; double nationality; effects of the naturalization of parents on the nationality of minors; nationality of children of unknown parents; cases of double nationality or loss of nationality by a woman as the result of marriage with a foreigner; effects of adoption on the nationality of the adopted child, etc.

2. *Territorial waters*: the nature of the rights possessed by a state over its territorial waters; the extent of such rights; the position as regards territorial waters around islands; straits; demarkation between inland waters and territorial waters; limitation upon the exercise of the sovereignty of coastal states as regards jurisdiction and fiscal questions, foreign warships in territorial waters.

3. *Responsibility of States for damages caused on their territory to the person or property of foreigners*: the legal basis of the international responsibility of states as resulting from acts of a legislative, judicial or executive organ; acts of individuals or mobs in riots or insurrections; pecuniary reparation or other compensation for damages, etc.

Altogether 21 subjects, including the three advanced to the conference stage, have been submitted to the Committee of Experts. Their status follows:

*Ripe for Regulation.* Legal position and functions of consuls; reserved by Ninth Assembly to a subsequent conference.

Competence of courts in regard to foreign states; reserved by Ninth Assembly to a subsequent conference.

Procedure of international conference and procedure for the conclusion and drafting of treaties; reserved by the Council, not passed to the Eighth Assembly for reference to a conference.

Suppression of piracy; reserved by the Council, not passed to the Eighth Assembly for reference to a conference.

Diplomatic privileges and immunities; reserved by the Council, not passed to the Eighth Assembly for reference to a conference.

Exploitation of the products of the sea; remitted by the Council to the Economic and other League Committees for special examination.

*Not Ripe for Regulation.* Classification of diplomatic agents.

Communication of judicial and extrajudicial acts (letters rogatory in penal matters).

Application of the notion of prescription in international law.

Legal status of private international non-profit-making associations.

*Other Questions.* Extradition; the Committee of Experts accepted a report on this subject that it was not ripe for regulation.<sup>1</sup> However, the Mixed Committee for the Suppression of the Offense of Counterfeiting Currency referred the extradition feature of that problem to the committee, which found serious reasons in favor of its international regulation in that connection.

Criminal competence of states in respect to offenses committed outside their territory; a subcommittee report found that the international regulation of the question "would encounter grave political and other obstacles."<sup>2</sup>

Legal status of government ships employed in commerce; consideration of it "might appear superfluous since it is already under study by the International Maritime Conference."<sup>3</sup>

The nationality of commercial corporations and their diplomatic protection; a subcommittee report concludes that regulation "is at the present moment desirable and realizable."<sup>4</sup>

Recognition of the legal personality of foreign commercial corpo-

<sup>1</sup> League of Nations, C. 51. M. 28. 1926. V. 8.

<sup>2</sup> *Ibid.*, C. 50. M. 27. 1926. V. 7.

<sup>3</sup> *Ibid.*, C. 52. M. 29. 1926. V. 9.

<sup>4</sup> *Ibid.*, C. 207. M. 81. 1927. V. 12.

rations; already placed on the agenda of the conferences on international private law.<sup>1</sup>

Domicile; the questionnaire of the Committee of Experts was submitted to governments in June, 1928.<sup>2</sup>

Most-favored-nation clause; the Committee of Experts decided that regulation of this question "would encounter serious obstacles."<sup>3</sup> However, the World Economic Conference dealt with it in its final report and the Economic Committee is working upon a formula of international application.

Is it possible to establish, by means of a convention, international rules concerning the competence of courts with respect to foreign states and especially with respect to states engaging in operations of commerce?

Is it possible to establish, by means of a convention, international regulations on the conflict of law, relative to the contract of sale of merchandise?

The Committee of Experts is undertaking no new studies until it has received further instructions from the Council. In the 1927 Assembly the Paraguayan delegation submitted a proposal for the preparation of a general and comprehensive plan for the codification of international law. The Committee of Experts in June, 1928, decided to continue the method already adopted. The Ninth Assembly, in passing resolutions on the matter of codification, recommended "that the Committee of Experts should, when it next meets, examine whether it would be possible and desirable to endeavor, by the procedure of codification, to formulate a declaration of the fundamental rights and duties of states."

In addition, the Ninth Assembly in a resolution confirmed its decisions to make no change in the method of codification adopted in 1924, but recognized "that there would be advantages in indicating the full extent of the subjects which the Assembly proposes to cover by the work of codification." It, therefore, requested the Council to intrust to a committee of three jurists the task of es-

<sup>1</sup> League of Nations, C. 206. M. 80. 1927. V. 11.

<sup>2</sup> *Ibid.*, C. 343. M. 101. 1928. V. 3.

<sup>3</sup> *Ibid.*, C. 205. M. 79. 1927. V. 10.



tablishing a systematic survey to be communicated to Members of the League as soon as possible. It would be desirable to distinguish subjects which should be reserved (1) for the technical organizations of the League, (2) for international conferences already initiated by particular Governments and (3) those which appear capable of being dealt with by conferences of jurists.

The Assembly emphasized the important practical value in this connection of assembling in the form of a code, according to a methodical classification, the various general international conventions opened to acceptance by states in general. It, therefore, asked the Council to refer to the committee of jurists the question of publishing, "as an accompaniment of the *Treaty Series* and in the form of a code of which new editions would be from time to time prepared, those general conventions which have the above-mentioned character."

#### UNIFICATION OF PRIVATE LAW

The *International Institute for the Unification of Private Law* was inaugurated in Rome on May 30, 1928. This institute originated in a proposal of the Italian delegation to the Assembly of 1924. The Italian Government offered to found in Rome such an institute and to grant for its upkeep an annual sum of 1,000,000 lire (\$52,631). This offer was accepted by the Assembly and subsequently by the Council;<sup>1</sup> which, after consulting the Committee of Experts for the Progressive Codification of International Law, the Committee on Intellectual Cooperation and the League technical organizations, concluded with the Italian Government the necessary agreements for the organization, existence and normal working of the Institute. The general principles of these agreements are similar to those governing the creation of the Institute of Intellectual Cooperation in Paris. The engagements entered into by the Italian Government toward the Council of the League<sup>2</sup>

<sup>1</sup> *Official Journal*, V, p. 1376.

<sup>2</sup> *Ibid.*, VII, p. 812.

were ratified by royal decree of September 3, 1926. As premises for the institute the Italian Government decided to offer the Villa Aldobrandini. The Institute is under the direction of a Governing Body composed of an Italian president and 14 members of different nationalities. On March 12, 1927, the Council appointed Vittorio Scialoja as president of the Governing Body.

"The object of the Institute is to study methods for the assimilation and coordination of private law as between states or groups of states, and to prepare for a gradual adoption by the various states of uniform private law legislation" (Art. 2 of Statutes).

Pietro de Francisci, professor of the history of Roman law at the University of Rome, was appointed secretary-general of the institute at the first meeting of the Governing Body.

## IV. ACHIEVEMENT OF PEACE AND SECURITY

### 1. Reduction of Armament

“The Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

“The Council, taking account of the geographical situation and circumstances of each state, shall formulate plans for such reduction for the consideration and action of the several Governments.

“Such plans shall be subject to reconsideration and revision at least every 10 years.

“After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council” (*Covenant*, Art. 8).

Effort to make the prescribed agreement upon the reduction and limitation of armament has been continuous since 1920, but through 1928 had led to no general result. The point of view of the Members of the League had, however, undergone several important changes. They felt that the new approach to the problem had offered improved prospects of success in the near future.

In 1920 when the League began to function, states felt that the maintenance of armament was one of the most sacred functions of their independence. In the First Assembly they insisted, however, that the problem of reduction should be intrusted to the Temporary Mixed Commission so as to take it out of the hands of strictly military experts. In 1921, the Assembly urged this commission to make proposals in the form of a draft treaty.<sup>1</sup> The commission found that a feeling of insecurity was the chief

<sup>1</sup> *Resolutions and Recommendations of the Assembly . . . 1921*, p. 23.

bar to reduction of armament. The Assembly in 1922 emphasized this thought in extensive resolutions, one of which — known as Resolution XIV — added that “moral disarmament is an essential preliminary condition of material disarmament, and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security.”<sup>1</sup>

In 1923, the Temporary Mixed Commission reported a draft treaty of mutual assistance to the Assembly, in which the third committee, as a conference, perfected the text for submission to Governments. Eighteen states approved it in principle,<sup>2</sup> but various criticisms were leveled against it, one of which was that it did not take into sufficient account existing machinery for the pacific settlement of international disputes.

Premiers Edouard Herriot of France and J. Ramsay MacDonald of Great Britain attended the opening sessions of the Assembly in 1924 as heads of their delegations. They were fresh from the London Conference on Reparations, at which the Experts' (Dawes) Plan was brought into force and smooth working order by provisions for the establishment of 19 separate arbitral jurisdictions.<sup>3</sup> As a result of their Assembly speeches, a resolution requested the First and Third Committees to examine the obligations of the Covenant “in relation to the guaranties of security which a resort to arbitration and a reduction of armaments may require.” The result was the well-known Geneva Protocol for the Pacific Settlement of International Disputes, opened for signature October 2, 1924. This agreement was built on the basic conception that “there can be no arbitration or security without disarmament, nor can there be disarmament without arbitration and security.”<sup>4</sup> Its first aim was to supply a system of pacific

<sup>1</sup> *Resolutions and Recommendations of the Assembly* . . . 1922, p. 27.

<sup>2</sup> *Records of the Fifth Assembly, Minutes of the Committees, Minutes of the Third Committee*, p. 129.

<sup>3</sup> *World Peace Foundation Pamphlets*, Vol. VIII, p. 314.

<sup>4</sup> *Records of the Fifth Assembly, Minutes of the Committees, Minutes of the Third Committee*, p. 212.

settlement, made complete by closing the legal "fissures in the Covenant," and secondly to provide for the general disarmament conference which, it was planned, could be held in 1925.

The British Government, under Premier Baldwin, held up the preparations for this conference, and its representative in the Council on March 12, 1925, declared himself against the principles of the protocol.<sup>1</sup> His essential declaration was that the real problem of confidence was not to be solved by a general agreement but by agreements on certain "extreme cases" of "brooding fears that keep huge armaments in being." The best way of dealing with these, he said, "is, with the cooperation of the League, to supplement the Covenant by making special arrangements in order to meet special needs."

In February, 1925, Germany made the proposal that led to the Locarno Conference. The Locarno treaty of guaranty neutralizes the Rhine frontier, the principal of the "extreme cases." The other treaties resulting from the Conference provide for a complete system of pacific settlement between the parties concerned. This system was made completely effective by the admission of Germany to the League and by the entrance of the treaties into force in September, 1926.<sup>2</sup> The Locarno principles then became a new starting point.

The early development of League policy respecting armament has, therefore, been based upon recognition of the fact that war occurs only as the result of disputes, for which there are but two methods of settlement: By armaments or peaceful means. Since 1926, the whole exploration of the subject has emphasized the pacific means of settling disputes in the belief that their development reduces the necessity for armament.

In this connection extensive re-examinations of the means of pacific settlement afforded by the Covenant itself have been made. A French proposal to the Preparatory

<sup>1</sup> *Official Journal*, VI, p. 124, 446.

<sup>2</sup> *Treaty Series*, LIV, p. 289-363.

Commission in 1926 requested investigation of methods which would "enable the Council to take such decisions as may be necessary to enforce the objects of the Covenant as expeditiously as possible." A committee of the Council drew up a report which was approved by the Assembly in 1926 and which lays down details of procedure under Art. 11 of the Covenant.<sup>1</sup>

The Committee on Arbitration and Security brought into the Ninth Assembly in 1928 elaborate reports on the operation of Arts. 10, 11 and 16 of the Covenant.<sup>2</sup>

Since 1926, pursuit of the solution of the armament problem has advanced along two main lines: (1) Preparation for a conference to reduce and limit armament in a technical sense, and (2) development of the system of pacific settlement with a view to solving the problem of security.

#### COMMITTEES AT WORK

**Temporary Mixed Commission.** The First Assembly in 1920 passed a resolution inviting the Council "to instruct a temporary commission composed of persons possessing the requisite competence in matters of a political, social and economic nature to prepare . . . reports and proposals for the reduction of armaments as provided for by Art. 8 of the Covenant." The Temporary Mixed Commission for the Reduction of Armaments, with the addition of seven civilian members in 1922, functioned until after the Fifth Assembly in 1924.

**Coordination Commission.** The Coordination Commission succeeded it and continues to exist. This consists of the active Committee of the Council<sup>3</sup>—the Council acting as a committee—and of what is separately called the Joint Commission to advise the Preparatory Commission on the economic aspect of questions. It consists of two members each of the Economic, Financial and Transit

<sup>1</sup> *Official Journal*, VIII, p. 221; compare *Official Journal*, Spec. Supp. No. 53, p. 23 and *Official Journal*, IX, p. 125.

<sup>2</sup> League of Nations, A. 20, 1928. IX, 9.

<sup>3</sup> *Official Journal*, V, p. 1380.

Organizations, two members of the Employers' Group and two members of the Workers' Group of the Governing Body of the International Labor Office, and four members competent to deal with questions connected with industry and transport.<sup>1</sup>

**The Permanent Advisory Commission on Armaments** is provided for in Art. 9 of the Covenant and was set up by the Council on May 9, 1920. It is made up of military, naval and air officers representing the Governments members of the Council. The commission is divided into three subcommissions, one expert in each branch of armament, and its primary duty is to advise the Council on technical matters. It sits as Subcommittee A of the Preparatory Commission with additional members.<sup>2</sup>

**The Preparatory Commission for the Disarmament Conference** was established by the Council September 26, 1925, and is composed of:<sup>3</sup>

- (a) Representatives of states members of the Council;
- (b) Representatives of countries chosen among those which, by reason of their geographical situation, occupy a special position as regards the problem of disarmament and which are not otherwise represented on the commission;
- (c) Any state not represented on the commission to submit memoranda and to be heard on them;
- (d) States members of the Council since 1925, the Soviet Union, Turkey and the United States.

#### PREPARATION FOR CONFERENCE

The Preparatory Commission for the Disarmament Conference began work in May, 1926, on the basis of finding replies to a series of seven elaborate questions drawn up by the Council on December 12, 1925,<sup>4</sup> which summarized the study given to the subject in the previous six years.

<sup>1</sup> *Official Journal*, VII, p. 166, 534.

<sup>2</sup> *Ibid.*, p. 633, 535.

<sup>3</sup> *Ibid.*, p. 164, 1403.

<sup>4</sup> *Ibid.*, p. 168.

Several points were added in the commission and have given rise to subsidiary investigations.

By the end of 1926 the subcommissions had worked up replies <sup>1</sup> and in March, 1927, the commission itself was able to make from this most impressively complicated series of answers and counter suggestions a synoptic analysis for further negotiation.

One of the subjects resulting in a fundamental difference was that of the principle by which to limit naval cruiser tonnage. Some states wanted a total tonnage fixed without specifying vessel size; others wanted the size of vessels fixed and the total tonnage determined. The United States attempted to solve this difficulty by inviting certain states to a Conference for the Limitation of Naval Armaments at Geneva, June 20–August 4, 1927. Great Britain and Japan attended officially, but it came to no conclusion because the United States and Great Britain were unable to compromise their views on respective requirements.

When the Preparatory Commission met the third time in March, 1927, it studied preliminary drafts of a convention <sup>2</sup> and, with many questions still unsettled, passed a draft convention on first reading.<sup>3</sup> To its November, 1927, session the Soviet delegation presented a project for complete and immediate disarmament.<sup>4</sup> This was rejected at the session in March, 1928, after a lively debate,<sup>5</sup> but is to be submitted in revised form at the next session.

The draft convention passed at the March meeting had served to bring out the fundamental points of disagreement between various conceptions of national needs for armament. Each great state is confronted by physical cir-

<sup>1</sup> See Report of Subcommission A (C. 739 M. 278 1926 IX. 16); Subcommission B. Report No. 1 [Report of the Joint Commission] (C. 738 M. 277. 1926. IX. 15); Committee of the Council (C. 740 M. 279. 1926. 1927 IX. 2) and summary, *Seventh Yearbook*, p. 244.

<sup>2</sup> *Documents of the Preparatory Commission* . . . Series IV, p. 358–382 (C. 310. M. 109 1927. IX. 5).

<sup>3</sup> *Ibid.*, p. 383; *Official Journal*, VIII, p. 861; *Monthly Summary*, VII, p. 105

<sup>4</sup> Separate document, C. 46. M. 23. 1928. IX. 5.

<sup>5</sup> *Documents of the Preparatory Commission* . . . Series VI, p. 239 (C. 165 M. 50. 1928, IX, 6)



cumstances, peculiar to its situation, which affect its armament ideas. The small states in any case do not rely on armament. The points of disagreement, therefore, did not apply to all negotiators and a solution offered by those concerned with any point would probably prove acceptable to all others for the sake of making progress. It was that which prompted the American delegate in March, 1928, to ask:<sup>1</sup> "Have we or have we not by direct negotiation<sup>2</sup> or in any other way achieved a sufficient basis of agreement?" The answer was in the negative, so that the commission adjourned without putting the draft convention to a second reading.

Meantime the Briand-Kellogg pact for the renunciation of war was under negotiation and its signing on August 27, 1928, at Paris — along with the simultaneous work of the Commission on Arbitration and Security — was changing the political conditions in which the armament problem was envisaged. For the fourth time in the Ninth Assembly the pressure of the small states and Germany was exerted to hasten their desire for the reduction of armament to increase their own security. The Assembly urged the differing Governments to seek "agreed solutions" without delay so that the work could succeed. It further called on the president of the Preparatory Commission to "keep in contact with the Governments concerned so that he may be apprized of the progress of their negotiations" and could call the next session early in 1929.

#### OTHER DECISIONS

The Covenant provides for several reforms in regard to armament in addition to reduction. Action has been taken on these phases of the problem.

**Interchange of Information.** The Members of the League undertook in Art. 8 of the Covenant "to inter-

<sup>1</sup> *Documents of the Preparatory Commission* . . . Series VI, p. 278. (C. 165. M 50. 1928 IX 6)

<sup>2</sup> The principal incident of direct negotiation was that between Great Britain and France resulting in what the newspapers called the Anglo-French accord on the cruiser problem and military service. The rejection of its naval terms by the United States left it without a chance of affording a solution to that phase of the problem.

change full and frank information as to the scale of their armaments, their military, naval and air programs, and the condition of such of their industries as are adaptable to warlike purposes." The Temporary Mixed Commission in 1922 and 1923 published much statistical information. In July, 1923, the Council, on the basis of the commission's investigations, authorized the Secretariat to begin publishing a yearbook embodying this information. The result of this authorization is the annual publication of the *Armaments Year-Book: General and Statistical Information*.

**Trade in War Materials.** An important phase of armament reduction is the proper control of international trade in war materials. Before the World War certain areas in Africa and Asia were subject to such control. The treaty of St. Germain of September 10, 1919, aimed to bring the previous arrangements up to date, but it was never brought into force<sup>1</sup> owing to the declination of the United States to proceed with ratification. The Temporary Mixed Commission devoted much time to the question and eventually in February, 1924, was able to meet with representative of the United States and to draw up a new draft convention. The resulting conference was held at Geneva, May 4-June 17, 1925, with 45 states represented.

The convention<sup>2</sup> for the supervision of the international trade in arms and ammunition and in implements of war, signed at Geneva, June 17, 1925, had not entered into force on December 31, 1928. The object of the convention is to establish a general system of supervision and publicity for the international trade in arms, munitions and implements of war, and a special system for areas where measures of this kind are generally recognized as particularly necessary.

<sup>1</sup> *Treaty Series*, VII, p. 331.

<sup>2</sup> For full texts see *Official Journal*, VI, p. 1117. The convention has been ratified by China, France and Venezuela and acceded to by Liberia, subject to ratification. The convention has been signed by: Abyssinia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, Czechoslovakia, Denmark, Egypt, Estonia, Finland, Germany, Hungary, India, Italy, Japan, Latvia, Luxemburg, Netherlands, Norway, Poland, Rumania, Salvador, Serb-Croat-Slovene State, Siam, Spain, Sweden, Switzerland, the United States and Uruguay.

Chap. I defines five categories to which the convention applies — arms of exclusive war utility, arms of possible war utility, warships, aircraft, and other arms.

Chap. II lays down that Governments only shall have the right to export or import arms of exclusive war utility. Exceptions are contemplated in the case of manufacturers of war material and duly authorized rifle clubs or similar associations. Consignments for export of arms of war utility must be accompanied by a license or declaration of the importing Government and the regular publication of statistical returns must be made within two months of the close of each quarter. The trade in warships and aircraft is subject to publicity regulations only. The trade in other arms is free.

Chap. III defines the system to be applied to special zones. These comprise:

(a) A land zone consisting of the African Continent, with the exception of Egypt, Lybia, Tunisia, Algeria, the Spanish possessions in North Africa, Abyssinia and the Union of South Africa, together with the territory under its mandate, and of Southern Rhodesia. This zone includes the adjacent islands situated within 100 marine miles from the coast; it includes further the Arabian peninsula, Gwadar, Syria, Lebanon, Palestine, Transjordan and Iraq;

(b) A maritime zone, including the Red Sea, the Gulf of Aden, the Persian Gulf, and the Gulf of Oman.

To these zones the export of all arms save warships is forbidden unless the contracting party exercising sovereignty, jurisdiction, protection or tutelage over the territory is willing to admit the articles in question for lawful purposes.

Chap. IV contains three provisions of a special nature relating to Abyssinia, to the reservations which a certain number of countries bordering on Russia may wish to make owing to the non-adhesion of Russia, and to countries possessing extraterritorial jurisdiction in the territory of another state.

Chap. V lays down that the convention shall not apply to arms forwarded to the military forces of the exporting country, wherever these forces may be. It is also provided that, in time of war, supervision and publicity, so far as consignment of arms to a belligerent is concerned, shall be suspended.

In the final act the signatories declare that their Governments intend to apply strictly their internal laws and regulations to prevent fraudulent commerce in arms, and to exchange all information on the subject; they declare further that the convention must be considered as an important step toward a general system of international agreements regarding arms and ammunition and implements of war, and that the international aspect of the manufacture of arms should receive early consideration by the different Governments.

By the declaration <sup>1</sup> regarding the territory of Ifni, signed at Geneva, June 17, 1925, which enters into force with the convention,<sup>2</sup> the Spanish Government agrees to the inclusion in the special zones of the territory of Ifni (North Africa) and to the application to this territory of the system set forth in Chap. III of the convention, unless and until it notifies the contracting parties of a decision to the contrary.

**Chemical Warfare.** The protocol<sup>3</sup> for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare, signed at Geneva, June 17, 1925, has been in force for certain states since April 2, 1927. The protocol enters into force for each state on the date of the deposit of its ratification.<sup>4</sup>

In the protocol contracting states recognize that the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world, and that prohibition of such use has been made in treaties to which the majority of states are parties. With a view

<sup>1</sup> *Official Journal*, VI, p. 1154.

<sup>2</sup> France and Venezuela have ratified and Liberia has acceded. The declaration has been signed by Abyssinia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, India, Italy, Japan, Latvia, Luxemburg, Netherlands, Poland, Rumania, Salvador, Serb-Croat-Slovene State, Spain and Switzerland.

<sup>3</sup> *Official Journal*, VI, p. 1159; see the previous conclusions of experts in *Report of the Temporary Mixed Commission*, p. 29 (A. 16 1924. IX).

<sup>4</sup> The ratifications and accessions have been: France, May 9, 1926; Liberia, April 2, 1927; Venezuela, February 8, 1928; Italy, April 3, 1928; Soviet Union, April 5, 1928; Austria, May 9, 1928.

to the acceptance of this prohibition as a part of international law, binding alike the conscience and the practice of nations, the contracting states, in so far as they are not already parties to treaties prohibiting such use, accept this prohibition, agree to extend it to the use of bacteriological methods of warfare, and agree to be bound as between themselves according to the terms of this declaration. The high contracting parties further undertake to do all in their power to induce other states to adhere to the protocol.

The protocol has been signed by Abyssinia, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, Czechoslovakia, Denmark, Egypt, Estonia, Finland, Germany, Greece, India, Japan, Latvia, Lithuania, Luxemburg, Netherlands, Nicaragua, Norway, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, Spain, Sweden, Switzerland, Turkey, the United States and Uruguay.

A series of questions respecting chemical warfare has been answered and sent to the Preparatory Commission.

**Private Manufacture of Arms.** The Members of the League by Art. 8, par. 5, of the Covenant "agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections." They lay upon the Council the duty "to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety."

Preliminary investigations were made by the Temporary Mixed Commission. After the Conference on Control of the Trade in Arms in 1925, the Council transmitted a series of questions on private manufacture to states and prepared a preliminary draft convention.<sup>1</sup> This draft was criticised by Member states, and in March, 1927,<sup>2</sup> a special Commission on the Private Manufacture of Arms and

<sup>1</sup> *Official Journal*, VI, p. 554, 220; VII, p. 170.

<sup>2</sup> *Ibid.*, VIII, p. 346.

Ammunitions and of Implements of War, consisting of representatives of states Members of the Council, tried to combine all views in a single draft. It tried again in August, 1928, and in November of the same year, both the Eighth and Ninth Assemblies having spurred it on by the passage of resolutions. The chief difference of opinion is whether suppression of arms manufacture should be confined to private plants or be reinforced by publicity on state manufacture.

### EXERCISE OF RIGHT OF INVESTIGATION

The treaties of peace closing the World War contain an article<sup>1</sup> in the following terms:

So long as the present treaty remains in force Germany [Austria, Bulgaria, Hungary] undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by majority vote, may consider necessary.

The Council adopted the scheme of organization with a view to the exercise of the right of investigation on September 27, 1924.<sup>2</sup>

Investigation shall "cover such demilitarization of territory as may be laid down in the treaties and any or all military, naval and air clauses and particularly: (a) Legislation such as military laws, budgets; (b) strengths; (c) material existing or under construction; (d) training for war; (e) new warship construction." Any Member of the League may communicate information which, in its opinion, calls for exercise by the Council of the right of investigation. Any non-Member of the Council, which is the neighbor of a state subject to investigation, shall be represented in the Permanent Advisory Commission for organizing an investigation. Commissions of investigation shall be constituted from a list of qualified experts appointed by the Governments of:

<sup>1</sup> Art. 213 of the treaty of Versailles, Art. 159 of the treaty of St. Germain, Art. 143 of the treaty of Trianon, Art. 104 of the treaty of Neuilly.

<sup>2</sup> *Official Journal*, V, p. 1592, 1658. The document is C. 541 (1).M. 189 (1). 1924. IX, and is also printed separately.

1. States represented on the Council, except those subject to the right of investigation;
2. Signatories of the appropriate treaty of peace which border on the state under investigation, and
3. A representative of a nonsignatory of the treaties of peace.

Each state furnishes an equal number of experts, and the Permanent Advisory Commission will propose the exact composition of the commission "according to the nature and importance of the investigation." Chairmen of commissions will arrange the order of their work and shall have full latitude respecting its conduct, provided that every local investigation is carried out by at least three experts of different nationalities. The commission will confine itself to the establishment of facts and may call upon the Council for aid and the Permanent Advisory Commission for technical advice or assistance. The Council may provide for continuous investigation in demilitarized zones.

The chairmen of commissions forward their reports to the Council and the Permanent Advisory Commission which will send to the Council a reasoned opinion thereon.

The Council on March 14, 1925, adopted a resolution accepting the report <sup>1</sup> by jurists and representatives of the Permanent Advisory Commission on the ways and means of assuring to members of the commissions the complete execution of their duties. On June 10, 1925, the Council <sup>2</sup> decided to address to the Austrian, Bulgarian, German and Hungarian Governments a letter expressing its confidence that, should the occasion arise, the stipulations of the peace treaties by which states liable to investigation undertook to give every facility to such effect would be fully carried out.

When the scheme of organization was passed in 1924, the Secretariat had not received the final report <sup>3</sup> of the mili-

<sup>1</sup> *Official Journal*, VI, p. 610.

<sup>2</sup> *Ibid.*, p. 863.

<sup>3</sup> For the other reports see *Official Journal*, V, p. 1011; VI, p. 304; but see IX, p. 298, 310, 324, 608.

tary commission. The question of investigation was postponed on the agenda of the Council from June, 1925, until December, 1926, by which time Germany had become a member of it. In the interval, a French proposal for the application to the Rhine demilitarized zone<sup>1</sup> of the right had ceased to have a practical bearing because of the entrance into force of the Locarno treaty of guaranty. Both the disarmament clauses of the treaties of peace and the right of investigation attributed by them to the Council were originally directed principally against Germany, in which the Interallied Military Commission of Control was still functioning after German entrance into the League. The Conference of Ambassadors, which had charge of that commission, represented the states allied against Germany in the World War, in whose interest the control was established. The Council of the League in December, 1926, was anxious to inaugurate the impartial system of right of investigation in succession to the system of control by interested parties. This desire became more pressing and appropriate after the admission of Germany to the League.

The Members of the Council that were represented in the Conference of Ambassadors influenced the latter to reach decisions early in December, 1926. At Geneva on December 12, 1926, representatives of Germany, Belgium, France, Great Britain, Italy and Japan — in the course of, but outside of, the Council meeting — reached an agreement based on the fact that of more than a hundred questions, dividing them in June, 1925, only two were outstanding. They agreed to continue negotiations respecting these, and in any case recorded that the Interallied Commission of Control would withdraw from Germany on January 31, 1927.<sup>2</sup>

Meantime, on December 11, 1926, the Council adopted explanations of the regulations passed in 1924 and 1925, which were intended to make the system more efficient.<sup>3</sup>

<sup>1</sup> For the other reports see *Official Journal*, VI, p. 143. The evacuation of the Coblenz sector occurred by exchange of notes of September 10, 1926 (*Treaty Series*, LXII, p. 141).

<sup>2</sup> For text of the communiqué see *Seventh Yearbook*, Vol. X, p. 260.

<sup>3</sup> *Official Journal*, VIII, p. 162.



**Szent-Gotthard Incident.** On January 1, 1928, five carloads of machine gun parts were seized by the Austrian customs officials on duty at the Szent-Gotthard joint Austro-Hungarian frontier station, which is in Hungarian territory. The goods were billed as "machine parts," and the falsity of the declaration caused widespread comment. The Czechoslovak, Rumanian and Serb-Croat-Slovene Governments requested an examination of the incident by the Council.

The Council heard those concerned on March 7.<sup>1</sup> It then transpired that the machine gun parts had been destroyed by the Hungarian officials in conformity with the provisions of the Bern railroad convention and because, "as long as the preliminary measures have not been voted by the Council, the Hungarian Government retains entire freedom of action." The Council remitted the question to a Committee of Three, who on March 10 considered that further information was necessary. The Council authorized them to undertake investigations. They invited two arms experts to draw up an inventory and detailed description of what remained of the machine gun parts at Szent-Gotthard. Two other experts on international railroad traffic and customs formalities were also called in. The Committee of Three met at The Hague, May 5-7 to draw up a report. On June 7, the Council provided for preliminary measures in case of disputes occurring in the intervals between Council sessions,<sup>2</sup> as a result of the Hungarian attitude.

The report of the committee of June 7 on the incident itself was inconclusive. The Council regretted that Hungary had considered the matter "exclusively from the standpoint of railway and customs regulations without having found it necessary to concern itself with the question of the final destination of this war material," which the committee had been unable to determine. The Council emphasized the gravity of the incident "and the

<sup>1</sup> *Official Journal*, IX, p. 387, documents at p. 545.

<sup>2</sup> *Ibid.*, p. 905.

importance it attaches to such incidents not recurring." The Hungarian representative had drawn attention to the fact that Hungarian action would have been different if the convention on the control of trade in arms had been in force. The Council in its resolution emphasized the importance of early ratification of this document.<sup>1</sup>

## 2. Arbitration and Security

Since the 1924 Assembly, attention has been continuously given to realizing the formula "arbitration, security and reduction of armament." The Locarno treaties of 1925 demonstrated its practical value of insuring "peace in one of the most sensitive regions of Europe."<sup>2</sup> In 1926 all treaties exemplifying the thesis were brought together in *Arbitration and Security: A Systematic Survey*.<sup>3</sup> The Assembly that year stated that the principles of conciliation and arbitration and "security by the mutual guaranteeing of states against any unprovoked aggression" should "govern the policy of every civilized nation."

In 1927 the Assembly declared in a resolution:<sup>4</sup>

(1) That all wars of aggression are, and shall always be, prohibited.

(2) That every pacific means must be employed to settle disputes, of every description, which may arise between states;

The Assembly declares that the states Members of the League are under an obligation to conform to these principles.

The Eighth Assembly also adopted a lengthy resolution defining policy on arbitration, security and disarmament. The new feature was provision for the Committee on Arbitration and Security, whose essential duty is "to consider, the lines indicated by the commission, the measures capable of giving all states the guaranties of arbitration

<sup>1</sup> *Official Journal*, IX, p. 918.

<sup>2</sup> *Resolutions and Recommendations adopted by the Assembly* . . . 1926, p. 16.

<sup>3</sup> Document C. 34. M. 74. 1926. V. 14. An enlarged and improved second edition is C. 653. M. 216. 1927. V. 29.

<sup>4</sup> *Resolutions and Recommendations* . . . 1927, p. 22.

and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.”<sup>1</sup> This committee was composed of representatives of all states represented on the Preparatory Commission, whether Members or non-Members of the League, if the latter desired to sit.

The Committee on Arbitration and Security submitted to the 1928 Assembly a series of reports and draft conventions, which were perfected by it. The result was a multilateral General Act, and three model bilateral conventions for conciliation, arbitration and judicial settlement, a model collective treaty of mutual assistance, a collective and a bilateral treaty of nonaggression, and a model treaty to strengthen the means of preventing war.<sup>2</sup>

### GENERAL ACT

The object of the General Act is to enable states to adopt standard engagements for the pacific settlement of international disputes and to avoid the development of alternative procedure, which will occur if there is no agreed model. Provision for reservations in three categories is made, so that general acceptance of the document is possible and the systematization of exceptions from jurisdiction arranged. The model bilateral conventions offer various combinations of conciliation, arbitration and judicial settlement suitable for states in different relations with each other, but all aimed at building up a network of treaties on standard lines, whatever the extent of engagement taken by the parties.

On conciliation there already exists a standard established by resolution of the Assembly September 22, 1922,<sup>3</sup> which is much less definite and detailed than the text of 1928. However, the 1922 rules have had an extensive

<sup>1</sup> *Resolutions and Recommendations . . . 1927*, p. 24-25; for commentary see *Records of the Eighth Assembly. Plenary Meetings*, p. 454, or (A. 108. 1927. IX. 11).

<sup>2</sup> The texts are in Document C. 536 M. 163. 1928 IX. 13 and in *Resolutions and Recommendations adopted by the Assembly . . . 1928*, p. 16-59.

<sup>3</sup> *Resolutions and Recommendations adopted by the Assembly . . . 1922*, p. 9.

effect in providing a basis for many bilateral conventions, the commissions under which are recorded with the Secretariat.<sup>1</sup>

### MUTUAL ASSISTANCE AND NONAGGRESSION

The three model conventions on mutual assistance and nonaggression are designed for those states desiring them and intended to permit the taking of engagements relative to security on a single standard and without conflict with the Covenant. The principle of them is based on the Locarno Rhine pact. The first two articles are the essential engagement, their substance being that of the Locarno treaty and bearing a close similarity to that of the Briand-Kellogg pact for renunciation of war. Those articles read:

Art. 1. Each of the high contracting parties undertakes, in regard to each of the other parties, not to attack or invade the territory of another contracting party, and in no case to resort to war against another contracting party.

This stipulation shall not, however, apply in the case of:

(1) The exercise of the right of legitimate defense — that is to say, resistance to a violation of the undertaking contained in the first paragraph;

(2) Action in pursuance of Art. 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Art. 15, par. 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a state which was the first to attack.

Art. 2. Each of the high contracting parties undertakes, in regard to each of the others, to submit to a procedure of pacific settlement, in the manner provided for in the present treaty, all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

<sup>1</sup> *Official Journal*, VI, p. 1684, 1727, and subsequently under the caption "Procedure of Conciliation."

**Assembly Action.** After perfecting the seven texts briefly described the Ninth Assembly in its resolutions invited all states to accept the obligations of pacific settlement in the General Act because it was "convinced that the effective machinery for insuring the peaceful settlement of international disputes is an essential element in the cause of security and disarmament." The good offices of the Council are available to bring any negotiations between states to a happy issue.

The Assembly was "convinced that the conclusion between states in the same geographical area of treaties of nonaggression and mutual assistance providing for conciliation, arbitration and mutual guaranties against aggression by any one of them constitutes one of the most practical means that can now be recommended to states anxious to secure more effective guaranties of security." The good offices of the Council are similarly available to states in negotiating such treaties.

#### MEANS FOR WAR PREVENTION

A draft model of a treaty to strengthen the means of preventing war was considered by the Ninth Assembly and submitted for the consideration of states. This puts in a formal text the understandings which have grown up in practice with reference to steps taken by the Council when an acute matter is before it. The parties would bind themselves in advance to comply with recommendations of the Council in such a way as not to hinder their execution.

The Committee on Arbitration and Security examined several other phases of the relationship between pacific settlement and security. One of these resulted in an appeal to states to accept the optional clause of the Statute of the Permanent Court of International Justice. By this clause states bind themselves always to submit disputes of a legal character to the Court.

A fruitful study made by the committee on Arts. 10, 11

and 16 of the Covenant brought into prominence "the fact that the League's first task is to forestall war, and that in all cases of armed conflict or of threats of armed conflict, of whatever nature, it must take action to prevent hostilities or to stop hostilities which have already begun." The examination of these three articles demonstrated that the Covenant offers special guaranties of security which should be relied upon to the extent possible.

### 3. Pacific Settlement of Disputes

By Art. 11 of the Covenant it is "declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends."

By Art. 12 "the Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to inquiry by the Council."

Art. 13 deals with the arbitral method; Art. 14 provides for the Permanent Court of International Justice, which affords the method of judicial decision, and also provides that the Court may give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly; Art. 15 deals with the method of inquiry, which does not result in a binding decision; and Art. 17 extends the whole system by invitation to states non-Members of the League.

The system does not contemplate handling of any dispute until the resources of the parties respecting its settlement are exhausted; that is, direct negotiations are recognized as the normal method of adjusting difficulties between nations.

**Procedure.** Disputes may be brought to the attention of the Council by one or more of the states parties to it or by a disinterested Member of the League.

The jurisdiction of the League does not extend to matters solely of domestic concern.

Parties are heard on a footing of equality, their representatives sitting as Members of the Council at any meeting during the consideration of matters affecting them.

The representatives of states parties to a dispute, even though they are members of the Council, have no vote in deciding the dispute. Decisions are unanimous.<sup>1</sup>

When the facts involve a question of law, such as the interpretation of a treaty or the effect of a decision, the Permanent Court of International Justice has in several instances been requested to give an advisory opinion upon the moot point.

The Council has made use of committees of jurists and of committees of inquiry in connection with disputes brought before it.

The Council has instructed the Secretary General, in the case of a request for investigation or of dispute, to inform the parties immediately that, when a question has been submitted to the Council, "it is extremely desirable that the Governments concerned should take whatever steps may be necessary or useful to prevent anything occurring in their respective territories which might prejudice the examination or settlement of the question by the Council." The parties are also requested to reply stating the steps which have been taken.<sup>2</sup>

The primary object of the Council is, in the first instance, by processes of conciliation to secure some definite decision which will either solve the difference or advance it toward solution. Frequently disputants reach their own solution between sessions of the Council, which no longer needs to concern itself with the substance of the matter. The regular meetings of the Council make it easy to repeat this process if the direct efforts of the states have not been fruitful.

<sup>1</sup> An advisory opinion of the Court has dealt with unanimity, Publications of the Court, Series B, No. 12.

<sup>2</sup> Resolution of June 7, 1928, *Official Journal*, IX, p. 909-910.

## DISPUTES HANDLED

The following notes indicate the variety and results of disputes brought before the Council:

**Aaland Islands.** On June 19, 1920, the British Government brought the case of the Aaland Islands before the Council. The dispute lay between Sweden and Finland, which was not yet a Member of the League. The claim was made that the question was within the domestic jurisdiction of Finland. This contention was submitted to a commission of jurists, which found it incorrect and held that the Council was competent to deal with the question. The Council then dispatched a commission of rapporteurs to the Aaland Islands, who presented a very full report on which the Council based its resolution of June 24, 1921.<sup>1</sup> This recognized Finnish sovereignty over the Aaland Islands, but stipulated that provisions for nonfortification and neutralization of the Archipelago dating from 1856 were to be maintained and that further guaranties for the protection of the islanders should be assured.

In accordance with the resolution, a regional Baltic conference relative to the nonfortification and neutralization of the Aaland Islands was held October 10-20, 1921, and the convention establishing their demilitarization and affording the requisite protection was signed on behalf of the British Empire, Denmark, Finland, Italy, Poland, France, Germany, Sweden and Latvia. The convention entered into force April 6, 1922.<sup>2</sup>

**Poland-Lithuania.** On September 5, 1920, Poland appealed to the Council to prevent war with Lithuania because Lithuanian troops had crossed the provisional frontier assigned to Poland. On September 20 before the Council both agreed to maintain neutrality, and a *modus vivendi*, including a frontier demarkation, was signed on October 7.<sup>3</sup> Meantime, General Zeligowski, whom the

<sup>1</sup> *Official Journal*, I, p. 248, 249.

<sup>2</sup> *Treaty Series*, IX, p. 212.

<sup>3</sup> *Ibid.*, VIII, p. 181.



Polish Government declared was acting as a rebel, occupied the city of Vilna, which had a desire, it was alleged, to become Polish. The Council proposed a plebiscite, intrusting its organization to its commission of control, which was in the disputed territory. Direct negotiations under the presidency of a member of the Council failed to bring agreement on two occasions. A neutral zone was then established. Zeligowski left Vilna in November, 1921, but his troops remained. On March 24, 1922, Poland annexed Vilna. In May, 1922, Lithuania asked the Conference of Ambassadors to fix the frontier line. The Council fixed the provisional frontier, in February, 1923, and on March 15 the Conference of Ambassadors, in accordance with the Lithuanian request, fixed a line on that basis. Lithuania asked the Fourth Assembly to consider the matter and withdrew the request at the Fifth Assembly in 1924.

In October, 1927, Lithuania complained to the Council against the expulsion by Polish authorities of several persons from Vilna. Lithuania and Poland, both organized after the war, had never established diplomatic relations, and great tension existed between them because Lithuania was not reconciled to Poland's holding of Vilna. The heads of the two Governments came to Geneva in December,<sup>1</sup> and the delicate question of their general relations was threshed out. Lithuania stated to the Council that she "does not consider herself in a state of war with Poland," and Poland recorded that it had no designs against Lithuania. On these mutual understandings the two Governments were recommended to enter into direct negotiations to settle all their difficulties.<sup>2</sup> In March, June<sup>3</sup> and September, 1928, the Council heard the parties and on each occasion learned that Lithuania had resorted to technical objections to delay the diplomatic negotiations, which had, therefore, not made much progress. Both

<sup>1</sup> *Official Journal*, IX, p. 144

<sup>2</sup> *Ibid.*, p. 177.

<sup>3</sup> *Ibid.*, p. 885.

parties, however, admitted their duties toward the Council, which in September passed a resolution to place Polish-Lithuanian relations in general on its agenda, thus forecasting an examination by the Council of the political differences and tension between the parties. In December Lithuania assented to the League's technical organization's examining the questions at issue.

**Albania.** In June, 1921, Albania alleged to the Council that Greek and Serb-Croat-Slovene troops were in its territory. A little later, when the Conference of Ambassadors was fixing the frontier, it requested the Council to appoint a commission to report on the execution of its decision. In November, 1921, press reports stated that Serbian forces were advancing into Albania. Great Britain brought that fact before the Council on the ground that a plan was on foot to detach part of Albania. While the Council was in session on that appeal, the decision of the Conference of Ambassadors as to the Albanian frontiers was issued. The League commission was maintained in Albania until 1923 in order to guide the first steps of the new Government.<sup>1</sup>

**Eastern Carelia.** In November, 1921, disorder broke out in Eastern Carelia, which was granted a form of autonomy under the treaty of peace<sup>2</sup> between Finland and Russia. Finland brought the matter before the Council, but the Soviet Union claimed it was a domestic matter. The Council referred this question to the Permanent Court for an advisory opinion, which the Court declined to render because the Soviet Union refused to appear. The Council did not pursue examination of the question for the same reason, nor did Finland subsequently complain of the treatment of the inhabitants of Eastern Carelia.

**Jaworzina Frontier.** The Czechoslovak-Polish frontier in the Jaworzina region was fixed by a decision of the Conference of Ambassadors on July 28, 1920. The delimitation commission laid down a modified line to which

<sup>1</sup> *Official Journal* V, p. 546, 843, 924, 1017, 1298.

<sup>2</sup> *Treaty Series*, III, p. 6.

Czechoslovakia protested, and the difficulty thus created was referred to the Council. The question hinged on the finality of the 1920 decision, a legal matter on which the Permanent Court was asked for an advisory opinion. On that basis the Council made a recommendation, and the Conference of Ambassadors again asked it to recommend a definitive line, which it did acceptably. The territory in dispute was established as the international game reserve of Tatra by the parties.

**Iraq Boundary.** The treaty of peace with Turkey, signed at Lausanne July 24, 1923,<sup>1</sup> provided that the frontier between Turkey and Iraq was to be laid down by agreement between Turkey and Great Britain. If this was not done in nine months, it was to be referred to the Council of the League, to which it was brought in 1924. A commission of inquiry was dispatched to look over the ground, the Council fixing a provisional line in the interval.<sup>2</sup> In September, 1925, the Council resumed examination of the question, which was extensively argued.<sup>3</sup> A point as to the voting procedure in taking the decision was referred to the Permanent Court for an advisory opinion. The Council thus had a basis for reaching a final decision without the votes of the disputants counting, and it rendered a decision which ran the boundary line through the Mosul district (which contains oil) on December 16, 1925. This line was made definitive by the Council on March 11, 1926. Subsequent negotiations between Great Britain and Turkey resulted in a small cession to Turkey and the completion of an agreement fixing the final line.<sup>4</sup>

**Upper Silesia.** A plebiscite in the valuable mining district of Upper Silesia resulted in a vote that made the territory look like a German-Polish checkerboard. It fell to the Supreme Council of the Allied Powers to draw the boundary line determined by the plebiscite. They re-

<sup>1</sup> *Treaty Series*, XXVIII, p. 17.

<sup>2</sup> *Official Journal*, V, p. 1659.

<sup>3</sup> *Ibid.*, VI, p. 1310-1439.

<sup>4</sup> *Ibid.*, VII, p. 858.

ferred the problem to the League, and the Council decided that, since the plebiscite area was an industrial unit, a transitional régime, which would preserve the economic life of the district, was necessary. The Conference of Ambassadors adopted these recommendations on October 20, 1921, and German-Polish negotiators met at Geneva, under the presidency of a Council appointee, to elaborate the very detailed system for the administration of Upper Silesia as an economic whole for a period of 15 years. The German-Polish convention was signed on May 15, 1922,<sup>1</sup> and entered into force on June 3, 1922.

**Greece-Italy.** The Italian member of a commission of the Conference of Ambassadors, which was fixing the boundary between Albania and Greece, was murdered on the Greek side of the border on August 27, 1923. Italy made demands for amends in a 24-hour ultimatum, which included a stipulation to pay an indemnity of 50,000,000 lire. The Greek reply did not accept all of the demands, including that one, whereat the Italian naval vessels occupied the Greek island of Corfu at the mouth of the Adriatic Sea, after a bombardment in which some 20 refugee children lost their lives. On September 1, Greece appealed to the Council under Arts. 12 and 15 of the Covenant. The Italian representative claimed that the question was one for the Conference of Ambassadors; but the Assembly, which was in session, was decidedly, though informally, of the opinion that the League had a responsibility in the affair. On September 6, the Council discussed proposed terms of settlement, but on the objection of the Italian representative failed to pass them. The proposals were then rushed to Paris for the information of the Conference of Ambassadors, which on September 7 substantially adopted them. This decision was accepted by both Greece and Italy. Inquiry on the ground failed to prove that Greece was guiltless of the murder, and the Conference of Ambassadors on September 25 awarded to Italy the indemnity originally claimed by her. Meantime, Italy

<sup>1</sup> The *Convention germano-polonaise* is published separately.

had voluntarily announced an intention to evacuate Corfu on September 27 and did so. In a political sense this last action was of importance, because in the past such instances had frequently led to forced cessions of territory.

**Memel.** The Conference of Ambassadors was intrusted by the treaty of Versailles with finally disposing of the territory of Memel. Lithuania was unwilling to accept the terms for its transfer, and the question of bringing about an agreement was referred to the Council. It appointed a commission that worked out a convention, signed at Paris, May 18, 1924, by which the British Empire, France, Italy and Japan transferred Memel to Lithuania.<sup>1</sup>

Any infraction of the convention may be brought before the Council. On June 9, 1926, a memorandum from the Diet of Memel alleging violation by Lithuania of the Memel convention came before the Council. Lithuania<sup>2</sup> contested the form of procedure adopted for hearing such complaints.<sup>3</sup> A committee of jurists decided that the complaint was not convincing as to the existence of infractions. Accordingly, Great Britain, France, Italy and Japan withdrew their complaint.<sup>4</sup>

**Bulgaria-Greece.** On October 22, 1925, the Bulgarian minister of foreign affairs telegraphed to the Secretary-General that, as a result of a border fight between sentries, Greek troops had been ordered to advance into Bulgarian territory and were about five miles over the line. He appealed to the League<sup>5</sup> under Art. 11, par. 1, of the Covenant, by which it is the duty of the Secretary-General to "forthwith summon a meeting of the Council." The Council met at Paris, October 26 at 6 P.M., one member arriving by airplane.

After statements by the Bulgarian and Greek repre-

<sup>1</sup> *Treaty Series*, XXIX, p. 85.

<sup>2</sup> *Official Journal*, VII, p. 1273.

<sup>3</sup> *Ibid.*, VI, p. 1395.

<sup>4</sup> *Ibid.*, VII, p. 1407-1424.

<sup>5</sup> *Ibid.*, VI, p. 1696.

sentatives, they were brought to associate with the Council in calling upon the two Governments to give unconditional orders for their troops to withdraw behind their respective frontiers within 24 hours, and to accomplish that within 60 hours.<sup>1</sup> This was accomplished, and other phases of the difficulty were discussed until October 29, when the Council appointed a commission to investigate on the spot. Both parties agreed in advance to accept the decisions of the Council.

The report came before the Council on December 7 and involved a payment of 30,000,000 levas (\$210,000) by Greece to Bulgaria for damage done, and this was duly paid. The report brought out the great danger to peace due to soldiers being continuously in close juxtaposition along a border where tension and the disorder of Bulgarian *comitajis* existed. The Council recommended that two Swedish officers should be attached to the Greek and Bulgarian forces to settle any disputes arising between the border forces, a neutral president to be added in case a question arose. As disorder has not occurred, no president has been appointed.

The report called attention to the fact that the Greek order to suspend operations reached the scene of action only two hours and a half before the attack was timed to begin. The conclusion was that a state of hostilities was narrowly averted by the prompt action of the Council. This circumstance has since led to extensive investigations as to the means of insuring the prompt meeting of the Council in case of emergency and of speeding up any emergency messages it might have occasion to send.<sup>2</sup>

**Hungary-Rumania.** Certain Hungarian optants, affected by the Council's minorities decision of 1923<sup>3</sup> brought their case before the Mixed Rumanian and Hungarian Arbitral Tribunal established by Art. 239 of the treaty of Trianon. Rumania withdrew its arbitrator. By the

<sup>1</sup> *Official Journal*, VI, p. 1699.

<sup>2</sup> *Ibid.*, VIII, p. 226, 1280 ff.

<sup>3</sup> See p. 165.

treaty, the Council may appoint arbitrators on those tribunals. Rumania made a statement to the Council on March 8, 1927,<sup>1</sup> Hungary also presenting its side. A Committee of the Council, having failed to bring the parties together, the conclusions of a committee of jurists on the legal aspects of the question was presented to the disputants. Rumania accepted this report, but Hungary did not, proposing that the Council request an advisory opinion of the Permanent Court as to whether the Mixed Arbitral Tribunal had exceeded its powers. Direct negotiations failed in September, 1927, and March, 1928. In August, 1928, however, the two parties had been brought to a point where negotiations were resumed, and when the Council met in December, 1928, these were still under way.

<sup>1</sup> *Official Journal*, VIII, p 350, 1379, 1411.

## MEETINGS OF REGULAR ORGANS AND COMMITTEES

### Assembly

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|---|--|
| <ol style="list-style-type: none"> <li>1. Nov. 15–Dec. 15, 1920. President, M. Hymans of Belgium. Representatives of 41 Member states present.</li> <li>2. Sept. 5–Oct. 5, 1921. President, Jonkheer van Karnebeek of The Netherlands. Representatives of 45 Member states present.</li> <li>3. Sept. 4–30, 1922. President, Agustín Edwards of Chile. Representatives of 46 Member states present.</li> <li>4. Sept. 3–29, 1923. President, Cosme de la Torriente y Peraza of Cuba. Representatives of 49 Member states present.</li> <li>5. Sept. 1–Oct. 3, 1924. President, Giuseppe Motta of Switzerland. Representatives of 51 Member states present.</li> <li>6. Sept. 7–26, 1925. President, Raoul Dandurand of Canada.</li> </ol> | <p>Representatives of 49 Member states present.</p> <p>Special Session. Mar. 8–17, 1926. President, Affonso Augusto da Costa of Portugal. Representatives of 48 Member states present.</p> <ol style="list-style-type: none"> <li>7. Sept. 6–25, 1926. President, Momchilo Ninchich of the Serb-Croat-Slovene State. Representatives of 49 states present.</li> <li>8. Sept. 5–27, 1927. President, Alberto Guani of Uruguay. Representatives of 49 states present.</li> <li>9. Sept. 3–26, 1928. President, Herluf Zahle of Denmark. Representatives of 50 states present.</li> <li>10. Sept. 2– , 1929.</li> </ol> |
|---|--|

### Council

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Paris, Jan. 16, 1920.</li> <li>2. London, Feb. 11–13, 1920.</li> <li>3. Paris, March 12–13, 1920.</li> <li>4. Paris, April 9–11, 1920.</li> <li>5. Rome, May 14–19, 1920.</li> <li>6. London, June 14–16, 1920.</li> <li>7. London, July 9–12, 1920.</li> <li>8. San Sebastian, July 30–Aug. 5, 1920.</li> <li>9. Paris, Sept. 16–20, 1920.</li> <li>10. Brussels, Oct. 20–28, 1920.</li> <li>11. Geneva, Nov. 15–Dec. 18, 1920.</li> <li>12. Paris, Feb. 21–March 4, 1921.</li> <li>13. Geneva, June 17–28, 1921.</li> </ol> | <ol style="list-style-type: none"> <li>14. Geneva, Aug. 20–Oct. 12, 1921.</li> <li>Extraordinary. Geneva, Aug. 29–Oct. 12, 1921.</li> <li>15. Paris, Nov. 16–19, 1921.</li> <li>16. Geneva, Jan. 10–14, 1922.</li> <li>17. Paris, March 24–28, 1922.</li> <li>18. Geneva, May 11–17, 1922.</li> <li>19. London, July 17–24, 1922.</li> <li>20. Geneva, Aug. 31–Oct. 4, 1922 ('A' mandate).</li> <li>21. Geneva, Aug. 31–Oct. 4, 1922.</li> <li>22. Geneva, Aug. 31–Oct. 4, 1922 (Austria).</li> <li>23. Paris, Jan. 29–Feb. 3, 1923.</li> </ol> |
|---|---|



- |  |   |
|--|---|
| 24. Geneva, April 17-23, 1923.   | 38. Geneva, Feb. 12, 1926. <sup>1</sup>     |
| 25. Geneva, July 2-7, 1923.  | 39. Geneva, March 8-18, 1926.               |
| 26. Geneva, Aug. 31-Sept. 29, 1923.                                      | 40. Geneva, June 7-10, 1926.                |
| 27. Paris, Dec. 10-21, 1923.   | 41. Geneva, Sept. 2-7, 1926.                |
| 28. Geneva, March 10-15, 1924.   | 42. Geneva, Sept. 16-20, 1926. <sup>2</sup> |
| 29. Geneva, June 11-17, 1924.  | 43. Geneva, Dec. 6-11, 1926.                |
| 30. Geneva, Aug. 29-Oct. 3, 1924.  | 44. Geneva, March 7-12, 1927.               |
| 31. Brussels, Oct. 27-31, 1924.  | 45. Geneva, June 13-17, 1927.               |
| 32. Rome, Dec. 8-13, 1924.   | 46. Geneva, Sept. 1-15, 1927.               |
| 33. Geneva, March 9-14, 1925.  | 47. Geneva, Sept. 17-28, 1927. <sup>2</sup> |
| 34. Geneva, June 8-13, 1925.   | 48. Geneva, Dec. 5-12, 1927.                |
| 35. Geneva, Sept. 2-28, 1925.  | 49. Geneva, March 5-10, 1928.               |
| 36. (Extraordinary) Paris, Oct. 26-30, 1925. (Greco-Bulgarian incident.) | 50. Geneva, June 4-9, 1928.                 |
| 37. Geneva, Dec. 7-16, 1925.   | 51. Geneva, Aug. 30-Sept. 8, 1928.          |
|  | 52. Geneva, Sept. 12-26, 1928. <sup>2</sup> |
|  | 53. Lugano, Dec. 10-15, 1928.               |

#### Permanent Advisory Commission on Armaments

- |   |   |
|---|---|
| 1. San Sebastian, Aug. 3-5, 1920.                   | 12. Geneva, Sept. 4-6, 1923 (during Assembly).                |
| 2. Brussels, Oct. 12-28, 1920.                      | 13. Geneva, Feb. 6-7, 1924 (with Temporary Mixed Commission). |
| 3. Geneva, Nov. 25-Dec. 4, 1920 (during Assembly).  | 14. Paris, May 12-20, 1924.                                   |
| 4. Paris, Feb. 25-March 1, 1921.                    | 15. Geneva, Aug. 28-Sept. 27, 1924 (during Assembly).         |
| 5. Geneva, June 21-27, 1921.                        | 16. Geneva, Nov. 12-14, 1924.                                 |
| 6. Geneva, Sept. 6-24, 1921 (during Assembly).      | 17. Geneva, Feb. 5-10, 1925.                                  |
| 7. Geneva, May 12-17, 1922.                         | 18. Geneva, June 8-9, 1925.                                   |
| 8. Geneva, Aug. 30-Sept. 7, 1922 (during Assembly). | 19. Geneva, March 9, 1926.                                    |
| 9. Geneva, Dec. 5-8, 1922.                          | 20. Geneva, April 6, 1927.                                    |
| 10. Geneva, April 16-23, 1923.                      |   |
| 11. Geneva, July 5-7, 1923.                         |   |

#### Temporary Mixed Commission for the Reduction of Armaments

- |   |                              |
|---|------------------------------|
| 1. Paris, July 16-19, 1921.                   | 6. Geneva, Feb. 9-12, 1923.  |
| 2. Geneva, Sept. 1-3, 1921 (during Assembly). | 7. Geneva, June 4-8, 1923.   |
| 3. Paris, Feb. 20-24, 1922.                   | 8. Paris, Aug. 3-8, 1923.    |
| 4. Paris, July 3-7, 1922.                     | 9. Geneva, Feb. 4-8, 1924.   |
| 5. Geneva, Sept. 1-6, 1922 (during Assembly). | 10. Geneva, July 71-2, 1924. |

<sup>1</sup> To convoke Special Session of the assembly.

<sup>2</sup> Meeting after reorganization of membership.

## Preparatory Commission for the Disarmament Conference

1. Geneva, May 18-26, 1926.
2. Geneva, Sept. 22-27, 1926.
3. Geneva, March 21-April 26, 1927.
4. Geneva, Nov. 30-Dec. 3, 1927.
5. Geneva, March 15-24, 1928.

## COMMITTEE ON ARBITRATION AND SECURITY

1. Geneva, Dec. 1-3, 1927.  
Rapporteurs: Prague, Jan. 26, 1928.
2. Geneva, Feb. 20-March 7, 1928.
3. Geneva, June 27-July 4, 1928.

## Committee of Experts on the Private Manufacture of Arms, etc.

1. Prague, April 26-29, 1924.
2. Geneva, July 8, 1924.
3. Geneva, Feb. 19, 1925.
4. Paris, April 21, 1925.
5. Paris, April 12-16, 1926.
6. Paris, July 30-31, 1926.

## SPECIAL COMMISSION TO PREPARE A DRAFT CONVENTION ON PRIVATE MANUFACTURE OF ARMS, ETC

1. Geneva, March 14-April 25, 1927.
2. Geneva, Aug. 27-30, 1928.
3. Geneva, Dec. 4-8, 1928.

## Financial Committee

1. Geneva, Nov. 23-Dec. 1, 1920.
2. London, Feb. 24-28, 1921.
3. Paris, March 28-31, 1921.
4. London, May 23-31, 1921.
5. Geneva, Aug. 31-Sept. 8, 1921.
6. London, Feb. 23-March 1, 1922.
7. Geneva, June 6-9, 1922.
8. Geneva, Sept. 4-8, 1922.
9. Geneva, Sept. 9-Oct. 3, 1922.
10. Geneva, June 21-24, 1923.
11. Geneva, Aug. 31-Sept. 5, 1923.
12. London, Nov. 20-28, 1923.
13. Paris, Dec. 12-20, 1923.
14. London, Jan. 18-22, 1924.
15. Geneva, June 11-17, 1924.
16. Geneva, Sept. 9-15, 1924.
17. Geneva, Feb. 6-13, 1925.
18. Geneva, June 4-8, 1925.
19. Geneva, Sept. 2-9, 1925.
20. Geneva, Dec. 3-8, 1925.
21. Geneva, March 5-8, 1926.
22. Geneva, June 3-9, 1926.
23. London, July 19-23, 1926.
24. Geneva, Sept. 2-9, 1926.
25. Geneva, Dec. 2-8, 1926.
26. Geneva, March 2-9, 1927.
27. Geneva, June 8-14, 1927.
28. Geneva, Sept. 1-7, 1927.
29. Geneva, Nov. 29-Dec. 7, 1927.
30. Geneva, Feb. 27-March 7, 1928.
31. Geneva, May 30-June 4, 1928.
32. Geneva, Aug. 30-Sept. 5, 1928.
33. Geneva, Dec. 4-8, 1928.

## Consultative Economic Committee

1. Geneva, May 14-19, 1928.

## Economic Committee

- |                                    |                                    |
|------------------------------------|------------------------------------|
| 1. Geneva, Nov. 30-Dec. 6, 1920.   | 15. Geneva, May 26-June 3, 1925.   |
| 2. London, Feb. 22-25, 1921.       | 16. Geneva, Aug. 31-Sept. 5, 1925. |
| 3. Geneva, Sept. 3-12, 1921.       | 17. Geneva, Nov. 30-Dec. 4, 1925.  |
| 4. Geneva, March 20-25, 1922.      | 18. Geneva, March 1-6, 1926.       |
| 5. Geneva, June 8-10, 1922.        | 19. Paris, June 14-17, 1926.       |
| 6. Geneva, Sept. 4-13, 1922.       | 20. Geneva, Aug. 30-Sept. 3, 1926. |
| 7. Geneva, Jan. 20-23, 1923.       | 21. Rome, Feb. 25-March 2, 1927.   |
| 8. Geneva, March 26-29, 1923.      | 22. Geneva, July 12-14, 1927.      |
| 9. Geneva, May 14-16, 1923.        | 23. Geneva, Dec. 15-21, 1927.      |
| 10. Geneva, Aug. 30-Sept. 3, 1923. | 24. Geneva, March 26-30, 1928.     |
| 11. Geneva, Feb. 26-29, 1924.      | 25. Geneva, June 25-28, 1928.      |
| 12. Geneva, May 8-11, 1924.        | 26. Geneva, Oct. 23-30, 1928.      |
| 13. Geneva, Aug. 26-30, 1924.      | 27. Geneva, Jan. 14- , 1929.       |
| 14. Geneva, Jan. 28-31, 1925.      |                                    |

## COMMITTEE OF EXPERTS ON DOUBLE TAXATION

- |                                 |                           |
|---------------------------------|---------------------------|
| Geneva, March 14-17, 1922.      | Geneva, Feb. 2-7, 1925.   |
| Geneva, June 4-9, 1923.         | Geneva, May 17-22, 1926.  |
| Geneva, Oct. 8-13, 1923.        | Geneva, Jan. 5-12, 1927.  |
| Geneva, March 31-April 7, 1924. | London, April 5-12, 1927. |
| Geneva, Oct. 20-27, 1924.       | Geneva, Oct. 22-31, 1928. |

## Advisory and Technical Committee for Communications and Transit

- |  |  |
|--|--|
| 1. July 25-28, 1921. Willem Jan Marie van Eysinga, Netherlands, chairman.      | 5. Geneva, Aug. 29-Sept. 1, 1923 Benjamin Fernandez y Medina, Uruguay, chairman. |
| 2. March 29-April 1, 1922 Willem Jan Marie van Eysinga, Netherlands, chairman. | 6. Geneva, March 12-14, 1924. J. G. Baldwin, Great Britain, chairman.            |
| 3. Aug. 30-Sept. 2, 1922. Benjamin Fernandez y Medina, Uruguay, chairman.      | 7. Geneva, Nov. 26-28, 1924. J. G. Baldwin, Great Britain, chairman.             |
| 4. Geneva, April 23-30, 1923. Benjamin Fernandez y Medina, Uruguay, chairman.  | 8. Geneva, July 24-30, 1925. Yotaro Sugimura, Japan, chairman.                   |

- |  |   |
|--|---|
| 9. Geneva, July 12-17, 1926.<br>Aristide de Agüero y Bethancourt, Cuba, chairman.    | 11 Geneva, Aug. 19-22, 1927.<br>Aristide de Agüero y Bethancourt, Cuba, chairman. |
| 10. Geneva, Feb. 28-March 5, 1927. Aristide de Agüero y Bethancourt, Cuba, chairman. | 12. Geneva, Feb. 24-March 7, 1928. Girolamo Sinigaglia, Italy, chairman.          |

## SPECIAL COMMITTEE OF INQUIRY ON REFORM OF THE CALENDAR

1. Paris, May 19-20, 1924.
2. Geneva, Feb. 16-17, 1925.
3. Geneva, June 23-24, 1926.

## Health Committee

## PROVISIONAL HEALTH COMMITTEE

- |                              |                                |
|------------------------------|--------------------------------|
| 1. Geneva, Aug. 25-29, 1921. | 4. Geneva, Aug. 14-21, 1922.   |
| 2. Paris, Oct. 20-22, 1921.  | 5. Geneva, Jan. 8-13, 1923.    |
| 3. Paris, May 11-16, 1922.   | 6. Paris, May 26-June 6, 1923. |

## STANDING HEALTH COMMITTEE

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| 1. Geneva, Feb. 11-21, 1924.      | 8. Geneva, Oct. 13-19, 1926.      |
| 2. Paris, May 7-10, 1924.         | 9. Geneva, Feb. 14-18, 1927.      |
| 3. Geneva, Sept. 29-Oct. 4, 1924. | 10. Paris, April 26-27, 1927.     |
| 4. Geneva, April 20-25, 1925.     | 11. Geneva, Oct. 18-Nov. 3, 1927. |
| 5. Geneva, Oct. 8-14, 1925.       | 12. Geneva, April 30-May 5, 1928. |
| 6. Geneva, April 26-May 1, 1926.  | 13. Geneva, Oct. 25-31, 1928.     |
| 7. Paris, June 19-20, 1926.       |                                   |

## Advisory Committee on Opium and Other Dangerous Drugs

- |                                 |   |
|---------------------------------|---|
| 1. Geneva, May 2-5, 1921.       | 7. Geneva, Aug. 24-31, 1925.                        |
| 2. Geneva, April 19-29, 1922.   | 8. Geneva, May 26-June 8, 1926.                     |
| 3. Geneva, Sept. 1, 1922.       | 9. Geneva, Jan. 17-Feb. 3, 1927.                    |
| 4. Geneva, Jan. 8-14, 1923.     | 10. (Extraordinary.) Geneva, Sept. 28-Oct. 8, 1927. |
| 5. Geneva, May 24-June 7, 1923. | 11. Geneva, April 12-27, 1928.                      |
| 6. Geneva, Aug. 4-11, 1924.     |   |

## International Committee on Intellectual Cooperation

- |                                  |                               |
|----------------------------------|-------------------------------|
| 1. Geneva, Aug. 1-5, 1922.       | 6. Geneva, July 27-30, 1925.  |
| 2. Geneva, July 26-Aug. 2, 1923. | 7. Paris, Jan. 14-18, 1926.   |
| 3. Paris, Dec. 5-8, 1923.        | 8. Geneva, July 26-29, 1926.  |
| 4. Geneva, July 25-29, 1924.     | 9. Geneva, July 22-26, 1927.  |
| 5. Paris, May 11-15, 1925.       | 10. Geneva, July 25-31, 1928. |

**Permanent Mandates Commission**

- |                                   |  |
|-----------------------------------|--|
| 1. Geneva, Oct. 4-8, 1921.        | 8. (Extraordinary). Rome, Feb. 16-March 6, 1926. |
| 2. Geneva, Aug. 1-11, 1922.       |  |
| 3. Geneva, July 20-Aug. 10, 1923. | 9. Geneva, June 8-25, 1926.                      |
| 4. Geneva, June 24-July 8, 1924.  | 10. Geneva, Nov. 4-19, 1926.                     |
| 5. Geneva, Oct. 23-Nov 6, 1924.   | 11. Geneva, June 20-July 6, 1927.                |
| 6. Geneva, June 26-July 10, 1925. | 12. Geneva, Oct. 24-Nov. 11, 1927.               |
| 7. Geneva, Oct. 19-30, 1925.      | 13. Geneva, June 12-29, 1928.                    |
|                                   | 14. Geneva, Oct. 26-Nov. 13, 1928.               |

**Temporary Committee on Slavery**

Geneva, July 9-12, 1924.

Geneva, July 13-25, 1925.

**Advisory Commission for the Protection and Welfare of Children and Young People**

- |                                  |                                   |
|----------------------------------|-----------------------------------|
| 1. Geneva, June 28-July 1, 1922. | 5. Geneva. March 22-April 1' 1926 |
| 2. Geneva, March 22-27, 1923.    |                                   |
| 3. Geneva, April 7-11, 1924      | 6. Geneva, April 25-May 6, 1927.  |
| 4. Geneva, May 20-27, 1925.      | 7. Geneva, March 12-24, 1928.     |

**COMMITTEE ON TRAFFIC IN WOMEN AND CHILDREN**

5. Geneva, March 22-25, 1926.
6. Geneva, April 25-29, 1927.
7. Geneva, March 12-17, 1928.

**CHILD WELFARE COMMITTEE**

- |                                    |                               |
|------------------------------------|-------------------------------|
| 1. Geneva, May 23-25, 1925.        | 3. Geneva, May 2-6, 1927.     |
| 2. Geneva, March 25-April 1, 1926. | 4. Geneva, March 19-24, 1928. |

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